

Central Region Review



U.S. Army Environmental Center Central Regional Office Kansas City, Missouri



★ MARCH 2004 ★

★ REGIONS 6 & 7 ★

The *CENTRAL REGION REVIEW* provides current information on significant federal and state legislative and regulatory developments in federal Regions 6 and 7. The *REVIEW* is prepared by Versar, Inc., in support of the Central Regional Environmental Office, to assist you in your compliance efforts. Current and past issues of this *REVIEW*, as well as regional updates and alerts, are available on the Internet at <http://aec.army.mil/usaec/reo/creo00.html>. Please e-mail CREO.regulatory.specialist@nwk02.usace.army.mil or call (816) 983-3327 if you have any questions or suggestions, or if you would like to subscribe to the *REVIEW*.

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(NOTES: The Central Region Review is available to anyone who prefers to receive the Review in electronic form. If you prefer to this method, simply provide your e-mail address to CREO.regulatory.specialist@nwk02.usace.army.mil who will put you on the e-mail distribution list. The list of **Acronyms and Abbreviations** is listed on the AEC web site and DENIX. The address for each site can be found on page 22.)

FEDERAL ACTIONS

EPA FINAL RULES

Hazardous Materials Regulations; Compatibility With the Regulations of the International Atomic Energy Agency. In this final rule, Research and Special Programs Administration (RSPA) of the Department of Transportation is amending requirements in the Hazardous Materials Regulations (HMR) pertaining to the transportation of radioactive materials based on changes contained in the International Atomic Energy Agency (IAEA) publication, entitled "IAEA Safety Standards Series: Regulations for the Safe Transport of Radioactive Material," 1996 Edition, No. TS-R-1. The purpose of this rulemaking initiative is to harmonize requirements of the HMR with international standards for radioactive materials as well as to promulgate other DOT-initiated requirements. The

effective date of these amendments is October 1, 2004. For further information, please contact Dr. Fred D. Ferate II, Office of Hazardous Materials Technology at (202) 366-4545 or Charles E. Betts, Office of Hazardous Materials Standards at (202) 366-8553 RSPA, U.S. Department of Transportation, 400 Seventh Street S.W., Washington, DC 20590-0001. Full text document location is <http://a257.g.akamaitech.net/7/257/2422/14mar20010800/edocket.access.gpo.gov/2004/04-67.htm>.

National Emission Standards for Hazardous Air Pollutants: Organic Liquids Distribution (Non-Gasoline). This action promulgates national emission standards for hazardous air pollutants (NESHAP) for new and existing organic liquids distribution (OLD) (non-gasoline) operations, which are carried out at storage terminals, refineries, crude oil pipeline stations, and various manufacturing facilities. These NESHAP implement section 112(d) of the Clean Air Act (CAA) by requiring all OLD operations at plant sites that are major sources to meet hazardous air pollutant (HAP) emissions standards reflecting the application of the maximum achievable control technology (MACT). The EPA estimates that approximately 5,300 megagrams per year (Mg/yr) (5,900 tons per year (tpy)) of HAP are emitted from facilities in this source category. Although a large number of organic HAP are emitted nationwide from these operations, benzene, ethylbenzene, toluene, vinyl chloride, and xylenes are among the most prevalent. These HAP have been shown to have a variety of carcinogenic and non-cancer adverse health effects. The emissions reductions achieved by the final standards, when combined with the emissions reductions achieved by other similar standards will provide improved protection to the public and achieve a primary goal of the CAA. This rule was effective February 3, 2004. For further information, please contact Martha Smith, U.S. EPA, Emission Standards Division, Waste and Chemical Processes Group, C439-03, Research Triangle Park, NC 27711, at (919) 541-2421 or by e-mail smith.martha@epa.gov.

EPA PROPOSED RULES

Rule To Reduce Interstate Transport of Fine Particulate Matter and Ozone (Interstate Air Quality Rule). The U.S. Environmental Protection Agency (EPA) is proposing to find that 29 States and the District of Columbia contribute significantly to non-attainment of the national ambient air quality standards (NAAQS) for fine particles (PM_{2.5}) and/or 8-hour ozone in downwind States. The EPA is proposing to require these upwind States to revise their State implementation plans (SIPs) to include control measures to reduce emissions of sulfur dioxide (SO₂) and/or nitrogen oxides (NO_x). Sulfur dioxide is a precursor to PM_{2.5} formation, and NO_x is a precursor to both ozone and PM_{2.5} formation. Reducing upwind precursor emissions will assist the downwind PM_{2.5} and 8-hour ozone non-attainment areas in achieving the NAAQS. Moreover, attainment would be achieved in a more equitable, cost-effective manner than if each non-attainment area attempted to achieve attainment by implementing local emissions reductions alone. Based on State obligations to address interstate transport of pollutants under section 110(a)(2)(D) of the Clean Air Act (CAA), EPA is proposing statewide emissions reduction requirements for SO₂ and NO_x. The EPA is proposing that the emissions reductions be implemented in two phases, with the first phase in 2010 and the second phase in 2015. The proposed emissions reduction requirements are based on controls that are known to be highly cost effective for electric generating units (EGUs). This action also discusses model multi-State cap and trade programs for SO₂ and NO_x that States could choose to adopt to meet the proposed emissions reductions in a flexible and cost-effective manner. The EPA intends to propose the model trading programs in a future supplemental action. For general questions concerning this action, please contact Scott Mathias, U.S. EPA, Office of Air Quality Planning and Standards, Air Quality Strategies and Standards Division, C539-01, Research Triangle Park, NC, 27711, at (919) 541-5310, e-mail at mathias.scott@epa.gov. For legal questions, please contact Howard J. Hoffman, U.S. EPA, Office of General Counsel, Mail Code 2344A, 1200 Pennsylvania Avenue, NW., Washington, DC, 20460, at (202) 564-5582, e-mail at hoffman.howard@epa.gov. The full text of this proposed action can be found at <http://www.epa.gov/fedrgstr/EPA-AIR/2004/January/Day-30/a808.htm>.

OTHER REGULATORY ACTIVITY AND GENERAL INFORMATION

EPA Releases CY2003 TRI-ME TRI Reporting Software. EPA's "Toxics Release Inventory - Made Easy" software, or *TRI-ME*, is an interactive, user-friendly, intelligent software that guides facilities through the entire TRI reporting experience, including "one-stop" guidance searching, threshold calculations, and reporting forms completion. The CY 2003 version is now available. A few very minor changes to the Form R this year should be noted. One is in Section 5, "Quantity of the Toxic Chemical Entering Each Environmental Medium Onsite". A section 5.5.3.A has been added for "RCRA Subtitle C Surface Impoundments". The following additions were made in Section 8, "Source Reduction and Recycling Activities". Section 8.1 "Quantity Released" was altered to add more options:

- Section 8.1a "Total Onsite Disposal to Class I Underground Injection Wells, RCRA Subtitle C Landfills and other landfills."
- Section 8.1b "Total other onsite disposal or other releases."
- Section 8.1c "Total Offsite disposal to Class 1 Underground Injection Wells RCRA Subtitle C Landfills, and other landfills."
- And Section 8.1d: "Total Other Off-Site Disposal or Other Releases."

The reporting TRI-ME software is available on the Internet at <http://www.epa.gov/tri/report/trime/index.htm>.

AEC Comment: It does not appear that this will have any major impact on Army reporting; however, it would be appropriate to review the changes to properly place numbers in the correct columns. If there are any questions on the Form R or the software feel free to call the AEC subject matter area (410-436-1226) and discuss. In addition, the annual Army TRI Data Call Memo will be issued shortly. Please note that there will be a request for an early 1 May submittal of electronic data to USAEC for review prior to the EPA 1 July deadline.

Notice Of Proposed Rule: Supplemental Solicitation Of Comments For Standards Of Performance For New Stationary Sources And Emission Guidelines For Existing Sources: Commercial Or Industrial Solid Waste Incineration Units.

This document solicits public comment on definitions of "solid waste," "commercial and industrial waste," and "commercial and industrial solid waste incineration unit" for purposes of EPA's new source performance standards (NSPS) and emission guidelines (EG) for commercial and industrial solid waste incineration (CISWI) units under section 129 of the Clean Air Act (CAA). On 1 December 2000, EPA promulgated final rules for CISWI units. After promulgation of the final CISWI rule, EPA accepted a voluntary remand, without vacature, in response to a petition for review challenging the final CISWI rule. Because the final rule was not vacated, the requirements of the final CISWI rule remain in effect during the remand. Also, subsequent to promulgation of the final CISWI rule, EPA granted a petition for reconsideration related to the definitions of "solid waste" and "commercial and industrial waste" in the CISWI final rule. This notice provides for additional proceedings related to these definitions, consistent with EPA's grant of the earlier petition for reconsideration. For additional information, please call Fred Porter, Emission Standards Division (C439-01), U.S. Environmental Protection Agency, Research Triangle Park, NC 2771 at (919) 541-5251. The full text is located at <http://a257.g.akamaitech.net/7/257/2422/14mar20010800/edocket.access.gpo.gov/2004/04-3366.htm>.

Alternative Fuel Transportation Program; Private and Local Government Fleet Determination. The Department of Energy (DOE) is publishing this final rule pursuant to the Energy Policy Act of 1992 (EPAct). In this final rule, DOE announces that it is not adopting a regulatory requirement that owners and operators of certain private and local government fleets acquire alternative fueled vehicles. DOE's decision is based on its findings that such a requirement would not appreciably increase the percentage of alternative fuel and replacement fuel used by motor vehicles in the United States and thus would make no more than a negligible contribution to the achievement of the replacement fuel goals set forth in EPAct. As a result of these findings, DOE is precluded from promulgating a regulatory requirement for private and local government fleets because such a rule is not "necessary" within the meaning of EPAct. The findings and conclusions reached in this document are consistent with those proposed in DOE's March 4, 2003, notice of proposed rulemaking. This rule is effective March 1, 2004. For further information, please contact Mr. Dana V. O'Hara, Office of Energy Efficiency and Renewable Energy (EE-2G), U.S. Department of Energy, 1000 Independence Avenue, S.W., Washington, DC 20585-0121 or call (202) 586-9171 or e-mail: regulatory--info@afdc.nrel.gov. The full text document location is <http://a257.g.akamaitech.net/7/257/2422/14mar20010800/edocket.access.gpo.gov/2004/04-1923.htm>.

EPA Issues New Guidance and Database for Research Models. Acting Deputy Administrator Steve Johnson and Science Advisor Paul Gilman announced new draft guidance on the use of research models at EPA and a web-accessible database, the "Models Knowledge Base." The "Draft Guidance on the Development, Evaluation, and Application of Regulatory Environmental Models" recommends best practices to determine when a model can best be employed to inform environmental decision-making. The Models Knowledge Base is a web-accessible database containing the Agency's frequently used models, and information on each model's use, development, validation and assessment. The database also has three tools for model selection (complete listing, keyword search, and browse by environmental indicators) and a web-based chat room for the user community. Both products are available from EPA's Council for Regulatory Environmental Modeling (CREM) Internet site at <http://cfpub.epa.gov/crem/>. For more information on these products or the CREM, please contact Pasky Pascual at (202) 564-1566 or pascual.pasky@epa.gov.

Notice Of Availability, Integrating Ecological Risk Assessment And Economic Analysis In Watersheds: A Conceptual Approach And Three Case Studies.

This notice announces the availability of a final report titled, Integrating Ecological Risk Assessment and Economic Analysis in Watersheds: a Conceptual Approach and Three Case Studies (EPA/600/R-03/140R), which was prepared by the U.S. Environmental Protection Agency's (EPA) National Center for Environmental Assessment (NCEA) of the Office of Research and Development (ORD). The document will be made available electronically through the NCEA Web site (<http://www.epa.gov/ncea>). A limited number of paper copies will be available from the EPA's National Service Center for Environmental Publications (NSCEP), PO Box 42419, Cincinnati, OH 45242; telephone: 1-800-490-9198 or 513-489-8190; facsimile: 513-489-8695. Please provide your name, your mailing address, the title and the EPA number of the requested publication. For further information, please contact The Technical Information Staff, National Center for Environmental Assessment/Cincinnati Office (MS-117), U.S. Environmental Protection Agency, 26 W. Martin Luther King Drive, Cincinnati, OH 56428; Telephone: 513- 569-7257; fax: 513-569-7475; e-mail: nceadc.comment@epa.gov.

National Research Council (NRC) Recommends Changes to Air Quality Management in the U.S.

In January 2004, the National Research Council's (NRC) Committee on Air Quality Management published a report that assessed governmental clean air efforts and recommended that changes be made to current air quality management methods. In the report, "Air Quality Management in the United States," the Committee concluded that implementation of the Clean Air Act (CAA) has resulted in substantial reductions in emissions, although changes would foster future improvements. The NRC also recommended environmentally protective and cost-effective multi-pollutant strategies, and suggested regulating groups of pollutants rather than one particular pollutant at a time. In addition, the report suggested that the EPA be granted more authority by Congress to address multi-state and international transport of air pollutants. For more details, view the report at <http://books.nap.edu/catalog/10728.html>.

Technical And Regulatory Guidance For The Triad Approach: A New Paradigm For Environmental Project Management (SCM -1).

This document, published by the Interstate Technology and Regulatory Council (ITRC), introduces new concepts to the manner in which environmental work is conducted. These concepts can increase effectiveness and quality and save project money. The SCM team created this document as a first step to stimulate understanding and discussion of the ideas embodied in the triad approach. It explains the relationship of the triad to existing guidance such as the data quality objectives process. It lists the advantages and disadvantages of the triad and notes regulatory and organizational barriers that may present obstacles to its use (December 2003, 110 pages). The guidance can be viewed or downloaded at <http://www.itrcweb.org/scm-1.pdf>.

Guidance for Developing Ecological Soil Screening Levels (OSWER Directive 9285.7-55).

EPA's Superfund program issued ecological soil screening levels (Eco-SSLs) for nine contaminants that are frequently found in soil at Superfund sites. Numerical soil concentrations were presented for antimony, barium, beryllium, cadmium, cobalt, dieldrin, and lead. Narrative statements were developed for aluminum and iron, metals that are often found at high concentrations under background conditions. The Guidance document describes how these values were developed and how they should be used in screening ecological risks. EPA plans to issue up to 14 more values next year, including values for arsenic, chromium, copper, DDT, PAHs, pentachlorophenol, and zinc. The mammalian toxicity reference values developed for these contaminants can also be used in the baseline risk assessment for sites (December 2003, 100+ pages). The guidance document, the nine-contaminant specific documents, and all the appendices are available at <http://www.epa.gov/ecotox/ecossl/>.

EPA Report on Environmental Compliance at Federal Facilities Now Available Online.

EPA released today "The State of Federal Facilities, An Overview of Environmental Compliance at Federal Facilities FY2001-2002," a biennial report that provides a comprehensive overview of environmental compliance in the federal sector. Results for 2003 will not be available until later this year. The report shows that compliance rates remain near or above 90 percent for regulated federal facilities inspected under the Resource Conservation and Recovery Act (RCRA) as well as major federal facilities regulated under the Clean Air Act (CAA). Compliance rates for federal facilities remained above 90 percent for federal facilities regulated under the Safe Drinking Water Act (SDWA). For the full report, please go to <http://cfpub.epa.gov/compliance/planning/results/accomplishment/>. For additional information, please contact Prudence Goforth at (202) 564-4355, e-mail goforth.prudence@epa.gov.

Now Available: White Paper on Pollution Prevention and Homeland Security.

National Pollution Prevention Roundtable is announcing the availability of a White Paper on Pollution Prevention and Homeland Security. This paper begins to define the relationship between pollution prevention and homeland security; explores what role(s) the pollution prevention community can play in improving homeland security; and identifies specific recommendations that the pollution prevention community can provide to EPA, state agencies, industry, and other

groups whose work intersects homeland security. The white paper is available at http://www.p2.org/whitepapers/p2_and_homeland_security.doc.

U.S. FISH AND WILDLIFE SERVICE

Notice of Scoping Meetings and Intent To Prepare an Environmental Assessment for the Proposed Designation of Critical Habitat for the Southwestern Willow Flycatcher.

The Fish and Wildlife Service (USFWS), is providing this notice to advise the public that a draft environmental assessment will be prepared, pursuant to the National Environmental Policy Act (NEPA) of 1969, as amended (42 U.S.C. 432 et seq.), in conjunction with a proposed rule to designate critical habitat for the southwestern willow flycatcher (flycatcher) (*Empidonax traillii extimus*) under section 4 of the Endangered Species Act of 1973, as amended (Act). The historical range of the flycatcher includes southern California; Arizona; New Mexico; southern Nevada, Utah, and Colorado; and west Texas. Eight public informational sessions and scoping meetings were held. Through this notice and the public scoping meetings, USFWS sought comments or suggestions from the public, other concerned governmental agencies, tribes, the scientific community, the business community, or any other interested parties concerning the scope of the environmental analysis, including the alternatives that should be analyzed. Information, comments, or questions related to preparation of the Draft environmental assessment and the NEPA process should be submitted to Steve Spangle, Field Supervisor, Arizona Ecological Services Office, U.S. Fish and Wildlife Service, 2321 West Royal Palm Road, Suite 103, Phoenix, Arizona 85021. Written comments may also be sent by facsimile to (602) 242-2513 or by e-mail to WIFLcomments@fws.gov. Questions regarding the scoping process, preparation of the draft environmental assessment, or the development of a proposed rule designating critical habitat, may be directed to Greg Beatty at telephone number (602) 242-0210 or by e-mail to greg_beatty@fws.gov.

AEC Comment: Critical habitat existed for the southwestern willow flycatcher but was later vacated by the 10th Circuit Court on 11 May 2001. The historical range of the flycatcher includes southern California; Arizona; New Mexico; southern Nevada, Utah, and Colorado; and west Texas. The following installations are within the counties where CH originally occurred for the flycatcher: Barry M Goldwater Range (ARNG), Camp Navajo (ARNG), Florence Military Reservation (ARNG), Fort Huachuca (SW), Camp Pendleton (ARNG), Edwards AFB (ARNG), Fort Irwin (SW), Miramar Naval Air Stat/Camp Elliot (ARNG), Naval Amphib Base (ARNG), Norton AFB (ARNG), March USAR & AMSA 19 (AR). For additional information or clarification, please contact the USAEC Threatened and Endangered Species (T&ES) subject matter area at (410) 436-1564.

North American Wetlands Conservation Council; Standard Grant Application Instructions. This notice notifies the public that updated instructions for applying for standard grants under the U.S. North American Wetlands Conservation Act is available on the Internet at <http://birdhabitat.fws.gov>. Proposals may be submitted at any time. To ensure adequate review time prior to upcoming North American Wetlands Conservation Council (Council) meetings, the Council Coordinator must receive proposals by March 5, 2004, and July 30, 2004. For detailed application instructions, sample proposal information, and eligibility criteria, visit the North American Wetlands Conservation Act (NAWCA) web site at <http://birdhabitat.fws.gov>. If you cannot access the Web site, contact the Council Coordinator at U.S. Fish and Wildlife Service, Division of Bird Habitat Conservation, 4401 North Fairfax Drive, MBSP 4075, Arlington, VA 22203, or by phone at 703-358-1784, or by fax at 703-358-2282, or by e-mail at dbhc@fws.gov. Send proposals to the Council Coordinator at the above address by mail (faxed proposals are not accepted). Send one original and two copies by regular mail and send one copy by electronic mail to the Council Coordinator. Send a copy of the proposal to your U.S. North American Waterfowl Management Plan (NAWMP) Joint Venture Coordinator (see next section for JV Coordinators) and all partners in the proposal.

For additional information, please contact: North American Wetlands Conservation Council Coordinator at (703) 358-1784 or dbhc@fws.gov, David Buie at (703) 358-1784 or david_buie@fws.gov or a JV Coordinator at the number given below. JV Coordinators can give you advice about developing a proposal, about proposal ranking, and additional information that may be required for compliance requirements for the National Environmental Policy Act, Endangered Species Act, National Historic Preservation Act, and contaminant surveys.

AEC Comment: Potential source for an installation's conservation partners to obtain funding for projects that could benefit the installation. The proposals must contain a minimum 1:1 ratio of non-Federal matching funds to grant funds. "Match" (as referred to throughout this document) can be cash, in-kind services, or land acquired/title donated for wetlands conservation purposes. The North American Wetlands Conservation Act, 2004 Eligibility Criteria and Processes can be found at the following website: <http://birdhabitat.fws.gov/NAWCA/2004EligibilityCriteria&Processes.pdf>. For additional information or clarification, please contact the USAEC Threatened and Endangered Species (T&ES) subject matter area at (410) 436-1564.

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REGION 6 STATE ACTIVITY

Regulatory & Legislative Web Sites

Arkansas Department of Environmental Quality (ADEQ)	http://www.adeq.state.ar.us
Arkansas General Assembly	http://www.arkleg.state.ar.us/
Louisiana Department of Environmental Quality (LDEQ)	http://www.deq.state.la.us
Louisiana Legislature	http://www.legis.state.la.us/
New Mexico Environment Department (NMED)	http://www.nmenv.state.nm.us/
New Mexico Legislature	http://legis.state.nm.us/
Oklahoma Department of Environmental Quality (ODEQ)	http://www.deq.state.ok.us
Oklahoma Legislature	http://www.lsb.state.ok.us/
Texas Commission on Environmental Quality (TCEQ)	http://www.tnrcc.state.tx.us
Texas Legislature	http://www.capitol.state.tx.us/

Homeland Security Information. FEMA Region VI, Ron Castleman, Regional Director, (940) 898-5399.

Web page: <http://www.fema.gov/regions/vi/>

ARKANSAS

Legislative/Regulatory Activity

Note: State of Arkansas Legislature is not in regular session for 2004.

STATE OF ARKANSAS PROPOSED RULES

(NEW) AR Department Of Environmental Quality Proposed Regulation: Revision Of Storage Tank Regulations (Regulation 12). The department has proposed revisions to its Storage Tank Regulations in order to comply with recent state legislation (Act 1114 of 2003) and recent changes in the federal Regulated Storage Tank program regulations. The revisions consist of: (1) adoption of a definition of "compensatory damages" in compliance with act 1114; (2) changes throughout chapter 4, the Petroleum Storage Tank Trust Fund Third-Party Payment Procedures; (3) changes in Chapter 3, Regulation 12.306 to increase the maximum reimbursement for corrective action involving leaking storage tanks from \$1 million to \$1.5 million; (4) incorporation by reference of changes to USEPA standards for underground storage tanks and; (5) restatement of notice requirements for regulated storage tanks (which are already contained in the trust fund provisions of 12.305) in new Regulation 12.108. A public hearing on the proposed revisions was held 03/01/04. The deadline for written comments is 03/15/04. *For additional Information, please contact Jennifer Tucker at (501) 682-0892.* The full text document can be viewed at http://www.adeq.state.ar.us/regs/drafts/reg12_draft_docket_04-00x-r/reg12_draft_docket_04-00x-r.htm.

OTHER REGULATORY ACTIVITY AND GENERAL INFORMATION

Winter 2004 Edition of the ADEQ Tank Talk Now Available. "Tank Talk," a publication of ADEQ's Regulated Storage Tank Division is now available online at <http://www.adeq.state.ar.us/rst/newsletters/default.htm>.

Homeland Security Information. Arkansas Department of Emergency Management, N. Wayne Ruthven, Director; David Maxwell, Deputy Director, (501) 730-9750 (main switchboard). Web page: http://www.state.ar.us/government_hs.php.

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Note: The Louisiana legislature will begin regular session 29 March 2004.

STATE OF LOUISIANA FINAL RULES

(NEW) LA Department Of Environmental Quality Final Emergency Regulations: Emissions Estimation Methodologies -- AQ 240E (LAC 33:III.919). The Department has adopted an emergency rule revision to clarify requirements set forth in LAC 33:III.919, concerning emission inventory, and LAC 33:III.507.H, concerning annual compliance certifications. On December 20, 2003, the Department promulgated final rule AQ220 (Stateside Report number LA0010830) to clarify and update the requirements for emissions inventory. These changes were made, in part, to correlate LAC 33:III.919 with the recently promulgated Consolidated Emissions Reporting Rule (67 FR 39602-39616, No. 111, 6/10/02). LAC 33:III.919.C was also modified to clarify that emissions reported in the emissions inventory shall be calculated using the best available information. *For additional information, please contact Lynn Willbanks at (225) 765-0399.*

STATE OF LOUISIANA PROPOSED RULES

(NEW) LA Department Of Environmental Quality Draft Regulation: Clarification Of Underground Storage Tanks Standards -- UT011 (LAC 33:XI). The Department has drafted amendments to its Underground Storage Tanks regulations. The amendments will clarify the standards for release detection methods, corrosion protection, permanent closure and temporary closure. The amendments will also alter the financial responsibility requirements for Motor Fuels Underground Storage Tank Trust Fund participants. Additionally, the amendments will add new definitions and delete the Underground Storage Tank Certification Board. The revisions include the addition of a definition for "temporary closure", and the addition of a definition for "permanent closure" in Chapter 1 which includes abandonment of a UST system. The revisions will also include an extension of the temporary UST system closure period requiring permanent closure in Chapter 9 from 12 to 24 months. There will also be an addition of notification requirements in Chapter 9 that require notification by mail or fax 7 days prior to permanent closure or change-in-service. The corrosion protection requirements in Chapter 5 will now apply to "metal" (which replaces "steel") UST systems and will apply to external portions of the tank in contact with water as well as with the ground. The revisions to Chapter 7 add Statistical Inventory Reconciliation as an acceptable method of release detection. Also, the revisions add a requirement that automatic line leak detector testing simulate a release to determine that the system is fully operational. The revisions also change the classification for who must report suspected releases from "persons" to "owners, operators, employees, agents, contractors, or assigns" and add language that requires immediate reporting upon knowledge of an emergency condition. The Department is accepting written comments until 04/16/04. To view the full text, please access: http://www.deq.state.la.us/planning/regs/pdf/0402POT2_UT011_advance_draft_with_rule.pdf. *For additional information, please contact Sharon Parker at (225) 765-0380.*

(NEW) LA Department Of Environmental Quality Proposed Regulation: LPDES - Incorporation By Reference Of Federal Standards For Pollutant Analysis And Effluent Guidelines And Standards (33 LAC IX.2301, 4901 and 4903). The Department is proposing a revision to 33:IX.2301, 4901 and 4903 which will incorporate by reference 40 CFR 136, July 1, 2003 and 40 CFR Chapter I, Subchapter N, Parts 401 and 405-471, July 1, 2003. This revision updates the Louisiana Pollutant Discharge Elimination System Program (LPDES) requirements by incorporating federal guidelines establishing test procedures for the analysis of pollutants and establishing effluent guidelines and standards. A public hearing will be held and written comments due on 03/26/04. *For additional information, please contact Judith Schuerman at (225) 219-3550.*

(NEW) LA Department Of Environmental Quality Proposed Regulation: Revisions To Notification Requirements For Unauthorized Discharges (33:I, III, V, VI, VII, IX, XI, XV). The Department has proposed revisions to its discharge notification requirements. The revisions will clarify notification requirements for ongoing discharges as opposed to multiple constituent discharges and amend the procedure for notification in the event of a non-emergency discharge. Also, the revisions will direct those needing to notify authorities of discharges to the necessary reporting procedures and will update telephone numbers. Additionally, the table of reportable quantities of unauthorized discharges is updated with corrections and additions, which will promulgate Emergency Rule OS052E1 which was effective on 12/10/03 (for more detail on this rule, see LA0010825). The revisions will also

identify the quantities of unauthorized discharges of toxic air pollutants as a result of bypassing emission control devices that warrant notification of authorities. A public hearing will be held and written comments due on 03/26/04. For additional information, please contact Judith Schuerman at (225) 219-3550.

(NEW) LA Department Of Environmental Quality Proposed Regulation: Update To State Fugitive Emission Control Regulations - AQ237 (LAC 33:III.2121 and 2122). The Department has proposed revisions that will update state fugitive emissions control regulations to clarify requirements for instrumentation systems, to designate "no detectable emissions" (NDE) valves and to allow for alternate monitoring for flanges. The changes make the state regulations more consistent with federal fugitive control regulations, particularly the Maximum Achievable Control Technology (MACT) standards of 40 CFR 63. The revised rule will adopt the definition of instrumentation system included in the Synthetic Organic Chemical Manufacturing Industry Hazardous Organic NESHAP (SOCMI HON) MACT (40 CFR 63, Subpart H). The proposal is available online at <http://www.deq.state.la.us/planning/regs/pdf/AQ237pro.pdf>. A public hearing will be held 03/26/04 and written comments are due 04/02/04. For additional information, please contact Judith Schuerman at (225) 219-3550.

OTHER REGULATORY ACTIVITY AND GENERAL INFORMATION

Homeland Security Information. Louisiana Office of Homeland Security & Emergency Preparedness, MG Bennett C. Landreneau, Director; LTC William J. Doran III, Division Chief - Operations & Homeland Security, (225) 925-7344. Web page: <http://www.ohsep.louisiana.gov/agencyrelated/aboutagency.htm>.

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NEW MEXICO

Legislative/Regulatory Activity

STATE OF NEW MEXICO PROPOSED LEGISLATION

(UPDATE) New Mexico H.B. 102 - Water, Groundwater, Impact Fees. The current version (February 8) creates the Domestic Well Impact Fund in the state treasury and provides that money in the Fund is appropriated to the State Engineer for the purchase of water rights to offset the effects of domestic well pumping in critical management areas or stream corridor areas, and for expenses associated with metering, measuring, and administering water uses. H.B. 102 was introduced and referred to House Energy and Natural Resources; Taxation and Revenue; and Appropriations and Finance Committees on 21 January 2004. It was subsequently reported from Energy and Natural Resources Committee 28 January, from House Taxation and Revenue Committee February 2 and amended and reported from House Appropriations and Finance Committee February 8. The bill passed House and referred to Senate Conservation and Finance Committees 10 February. The bill passed the House on a vote of 59-4. House Appropriations and Finance Committee sources indicate that the amendment changed the application fee for a shared well from \$1,000 to \$200. It has been reported that the establishment of this fund will aid the Office of the State Engineer in purchasing and retiring water rights in order to extend the life of a water supply, and increase the state's ability to protect water rights and meet interstate stream obligations. Water rights and water use are priorities this session. For more information regarding this bill, please go to <http://legis.state.nm.us/Sessions/04%20Regular/bills/house/HB0102.html>. Sponsor: Representative Joseph Cervantes (D)

(NEW) New Mexico H.B. 196 - Water, Groundwater. H.B. 196 provides for active resource management and designation of critical management areas and allows the state engineer to deny a permit for a domestic well if the ground water in the area is contaminated. The bill was introduced and referred to House Agriculture and Water Resources; and Energy and Natural Resources Committee January 21, 2004. The bill reported from House Agriculture and Water Resources Committee with an unfavorable recommendation. The bill can be viewed in its entirety at <http://legis.state.nm.us/Sessions/04%20Regular/bills/house/HB0196.html>. Sponsor: Representative Luciano Varela (D)

(UPDATE) New Mexico H.B. 289 – Groundwater. This bill creates the Water Resource Fee Act that imposes water resource fees for the diversion or withdrawal of public waters of the state as follows: (1) irrigation districts, conservancy districts and artesian conservancy districts organized pursuant to Chapter 73, Article 1, 9, 10 or 14 of NMSA 1978; (2) persons other than an acequia association (an association of landowners along a community ditch) supplying water for agricultural uses for which the fees imposed by this subsection have not otherwise been imposed;

(3) persons operating a public water supply system; (4) persons supplying water for a commercial, industrial, mining or utility concern and for which the fees imposed by this subsection have not otherwise been imposed or paid; and (5) persons owning a domestic well. Water issues are expected to be a priority this session, as the State's droughts become worse and worse each year as a result prospects for consideration are favorable. The full text can be found at <http://legis.state.nm.us/Sessions/04%20Regular/bills/house/HB0289.html>. Sponsor: Representative Mimi Stewart (D)

AEC CREO Comment: The Air Force, which is DoD REC for EPA Region 6, is submitting comments on this bill to address federal sovereign immunity from the bill provisions and to clarify that the fees proposed in this bill cannot apply to federally reserved water rights.

(UPDATE Companion Bill) **New Mexico S.B. 360 - Water, Groundwater.** The current version (February 7) establishes the Strategic Water Reserve and authorizes 10% of annual severance tax bond authority to be appropriated to the Interstate Stream Commission (ISC) to acquire surface and ground water rights for the Strategic Water Reserve. To access the bill, please go to <http://legis.state.nm.us/Sessions/04%20Regular/bills/senate/SB0360COS.html>. Sponsor: Senator Carlos R. Cisneros (D)

(NEW) **New Mexico H.B. 519 - Endangered Species, Water Conservation.** H.B. 519 appropriates funds for the Pueblo of Sandia, the Pueblo of Isleta and the middle Rio Grande conservancy district to designate natural habitat and to conserve water to prevent the extinction of the silvery minnow in the Rio Grande from Cochiti Dam to Elephant Butte. The bill was introduced and referred to House Energy and Natural Resources; and Appropriations and Finance Committees 3 February 2004. The Middle Rio Grande Endangered Species Act Workgroup was formed in 2000 to develop a collaborative solution that protects and aids recovery of the Rio Grande Silvery Minnow and Southwestern Willow Flycatcher, while at the same time protecting current and future water users. To view the bill, please go to <http://legis.state.nm.us/Sessions/04%20Regular/bills/house/HB0519.html>. Sponsor: Representative James R. Madalena (D)

(UPDATE Companion Bill) **New Mexico S.J.M. 6 - Recycling, Mandatory Deposits, Electronic Waste.** S.J.M. 6 requests that the Department of Environment to develop a strategic plan for transforming the economics of recycling in the State and requires the plan to include: (1) a review of resources and methods to promote recycling, waste diversion and market development; and (2) a recommendation of an appropriate agency to implement and administer the methods identified in the plan. The bill also requires the Department of Environment to present the written strategic plan to the appropriate interim legislative committee by 1 December 2004. The bill can be viewed at <http://legis.state.nm.us/Sessions/04%20Regular/memorials/senate/SJM006.pdf>. Sponsor: Senator Dede Feldman (D)

(UPDATE) **New Mexico S.B. 333 - Land Use.** New Mexico S.B. 333 appropriates \$400 thousand from the general fund to the Economic Development Department for the purpose of administering and operating the Office of Military Base Planning and Support and moves the policy and administration arm of the Office from the Economic Development Department to the governor's Office of Homeland Security. It exempts the office from the open meetings act when relocation of military units is discussed or information is obtained pertaining to Office strategies. Proposes a new section of the gross receipts and compensating tax act is enacted to create a deduction for test articles. The bill was introduced and referred to Senate Corporations and Transportation; and Finance Committees 28 January 2004 and reported from Senate Corporations and Transportation Committee 2 February. In addition, S.B. 333 was amended and reported from Senate Finance Committee 10 February, passed the Senate and referred to the House Taxation and Revenue and Appropriations and Finance Committees February 12. Apparently, this issue is a priority for the Legislature and the Governor. The bill can be accessed at <http://legis.state.nm.us/Sessions/04%20Regular/bills/senate/SB0333.html>. Sponsor: Senator Richard M. Romero (D)

STATE OF NEW MEXICO FINAL RULE

(UPDATE) **NM Environment Department Final Regulation Effective 12/31/03: Implementation Of The Federal Regional Haze Plan (NMAC 20.2.65, 20.2.73, 20.2.81).** The Department has adopted revisions to comply with the federal Clean Air Act and the associated EPA requirements under 40 CFR § 51.309 (Section 309). The revision to the State Implementation Plan (SIP) follows the requirements of Section 309 and incorporates the work products of the Western Regional Air Partnership (WRAP). In addition to the Regional Haze SIP, the Department adopted two new regulations and one revised regulation as part of this rulemaking. The regulations are 20.2.65 NMAC – Smoke Management (Part 65), 20.2.81 NMAC – Western Backstop Sulfur Dioxide Trading Program

(Part 81), and 20.2.73 NMAC – Notice of Intent and Emission Inventory Requirements (Part 73). Part 65 contains the requirements for vegetation burning above the de minimus levels regulated in Open Burning (20.2.60 NMAC). This regulation applies to persons who burn above these de minimus levels in New Mexico, including farmers, ranchers, orchardists, federal land managers, and others. The text of the regulation is available online at <http://www.nmenv.state.nm.us/aqb/Regional-Haze.html>. The final rules were effective 12/31/03. *For additional information, please contact Mary Uhl at (505) 955-8086.*

(UPDATE) NM Environmental Improvement Board Final Regulation Published 01/30/04: Revision Of Liquid Waste Disposal Regulations (20.7.3 NMAC). The Department has adopted revisions to Liquid Waste Disposal Regulations, 20.7.3 NMAC. The amendments amend the Liquid Waste Disposal Regulations to allow the land application of gray water by residences under the conditions expressed by the Legislature in the 2002-2003 legislative session, HB 114, codified at NMSA 1978 Section 74-6-4 (2003). The sections that would be amended include the following: 20.7.3.7.J – Definition of black water; 20.7.3.7.AF – Definition of gray water; 20.7.3.200 - Procedures; and 20.7.3.300 – Standards. The Department adopted the regulation that became effective 03/01/04. *For additional information, please contact Geraldine Madrid-Chavez at (505) 827-2425.*

(UPDATE) NM Environment Department Final Regulation: Revisions To Open Burning And Smoke Management Regulations. The Department has adopted revisions to 20.2.60 NMAC, Open Burning. Because of the extensive nature of the revisions, the Department requested that the Environmental Improvement Board repeal the existing regulation and replace it with a new regulation. The Department requested this hearing in conjunction with the Smoke Management regulation (20.2.65 NMAC) hearing because of the continuum between the two proposed regulations. The current Open Burning regulation has not been significantly revised since it was promulgated in 1970. The adopted Part 60 replaces the current system of open burning pursuant to Department-issued permits containing individualized conditions with open burning without permit pursuant to a uniform rule. A proposed new section of Part 60 applies to small-scale burning of vegetative materials that is de minimus in the context of the Smoke Management regulation (20.2.65 NMAC). The Part 60 section sets uniform conditions for burning less than specified amounts of vegetation per day and applies to all such burning regardless of land use or purpose of burning. Also adopted is a prohibition on burning of household waste (other than vegetative materials), to take effect June 1, 2004. The Department adopted new rule language to provide more clarity on the conditions under which household waste may be burned during the interim period before the prohibition takes effect. This regulation applies to almost all types of outdoor burning, including trash, weed, yard waste, agricultural, and prescribed burning. The regulation applies statewide, except in Bernalillo County and on Tribal and Pueblo Lands. The Department adopted 20.2.60 NMAC and 20.2.65 NMAC, effective 12/31/03. The regulations are available online at *Open Burning:* http://www.nmenv.state.nm.us/NMED_regs/aqb/20.2.60nmac_123103.pdf and *Smoke Management:* http://www.nmenv.state.nm.us/NMED_regs/aqb/20.2.65nmac_123103.pdf. *For additional information, please contact Brad Musick at (505) 827-0335.*

STATE OF NEW MEXICO PROPOSED RULE

(NEW) Albuquerque/Bernalillo County Air Quality Control Board Proposed Regulation: Addition Of PM2.5 Definition And Incorporation By Reference Of Federal And State Ambient Air Quality Standards For Ozone, And Coarse And Fine Particulates. Regulations Will Be Proposed For Inclusion In The SIP. The Board has proposed amending 20.11.1 NMAC to add a definition for the pollutant PM2.5 and to remove “Bernalillo County Air Quality Goals and Enforceable Ambient Air Quality Standards” from Part I. The Board has proposed adding a new regulation 20.11.8 to adopt by reference federal and state Ambient Air Quality Standards that incorporate the current federal ozone 8-hour standard, the PM2.5 (fine particulate) 24-hour and annual standards, and the PM10 (coarse particulate) 24-hour and annual standards. The Board will propose both the amended and new regulation for inclusion in the SIP. *For additional information, please contact Dan Warren at (505) 768-2600.*

OTHER REGULATORY ACTIVITY AND GENERAL INFORMATION

(UPDATE) NM Environment Department Departmental Discussion: Ozone Levels In San Juan County. The Department is discussing the potential need for a management plan for ozone in San Juan County. Monitoring stations in San Juan County that measure ozone have measured concentrations that approach one of the federal health-based standards. These measurements were unexpectedly high for a rural area. If ozone concentrations in San Juan County exceed the federal ozone standards, the Department would have to implement a

plan to reduce air pollution in order to protect public health. The Department is focusing resources to determine causes and solutions to this problem so that the ozone concentrations in San Juan County will not increase. For additional information, please contact Mary Uhl at (505) 955-8086.

(UPDATE) NM Environment Department Departmental Discussion: USEPA's Early Action Ozone Compact Option For Areas That Are Close To Exceeding the 8-Hour Ozone National Ambient Air Quality Standard. The Department's Four Corners Ozone Task Force steering committee is discussing USEPA's Early Action Ozone Compact option for areas that are close to exceeding the 8-hour ozone National Ambient Air Quality Standard. The task force and steering committee were formed out of citizen concern about elevated ozone levels in the Farmington area, which could affect public health. The long-term goals of the Task Force are to preserve the region's air quality and prevent the area from exceeding national ambient air quality standards in the future. Task Force information is available at <http://www.nmenv.state.nm.us/ozonetf/index.html>. For additional information, please contact Mary Uhl at (505) 955-8086.

Homeland Security Information. New Mexico Office of Homeland Security, Annette Sobel, Director and Brigadier General, NMANG (annette.sobel@state.nm.us); Chris Berkheimer, Deputy Director (Chris.berkheimer@state.nm.us), (505) 476-0267. Web page: <http://www.governor.state.nm.us/homelandsecurity/index.html>.

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OKLAHOMA

Legislative/Regulatory Activity

STATE OF OKLAHOMA PROPOSED LEGISLATION

(NEW) Oklahoma H.B. 2235 - Water Conservation, Water, Water Use. This bill creates an Oklahoma Stream Water Law and establishes conservation as a beneficial use, voluntary programs, certificates showing change in original water rights and provides for use of conserved water. H.B. 2235 was filed on 20 January 2004 and referred to the House Environment and Natural Resources Committee on 29 January. To view the bill, please go to http://www.lsb.state.ok.us/2003-04HB/HB2235_int.rtf. Sponsor: Representative Ron Langmacher (D)

(NEW) Oklahoma H.B. 2440 - Groundwater, Water, Water Use. The bill extends the moratorium on the sale or exploitation of certain waters and the Joint Committee on Water Planning for two years and creates a Statewide Water Policy Planning Commission. The bill was filed 22 January 2004. The bill can be viewed at http://www.lsb.state.ok.us/2003-04HB/HB2440_int.rtf. Representative Jerry Ellis (D)

(UPDATE) Oklahoma H.B. 2472 - Land Use Surrounding Military Bases. H.B. 2472 clarifies language that prohibits certain uses of land hazardous to aircraft operation. Prospects for House passage are favorable. The sponsor is a member of the majority party and is the Democratic Caucus Chair. Committee sources indicate that this bill is uncontroversial and just clarifies an existing statute. Legislative sources indicate that education and health care are the major issues for this session. The bill has made it through the house and has been sent to the senate. Sponsor: Representative David Braddock (D)

AEC CREO Comment: The Army Central Regional Environmental Office (Region 6) has initiated formal comments on this bill to clarify and expand the scope of installations and activities covered to help assure all military installations in the state will benefit. For additional information on this, please contact the CREO Project Manager at (816) 983-3451.

(UPDATE) Oklahoma H.B. 2686 - Water, Water Use, Groundwater. This bill creates the Oklahoma Water Banking Act and provides authority of water banks and restricts number of water banks. Moreover, the bill makes banked water not waste and not subject to beneficial usage requirements. The bill was filed 22 January 2004 and referred to the Rules Committee on 29 January. The bill can be viewed at http://www.lsb.state.ok.us/2003-04HB/HB2686_int.rtf. Sponsor: Representative Joe Dorman (D)

(UPDATE) Oklahoma H.B. 2705 - Water Quality, Groundwater. This bill requires "that for non-point source discharges into bodies of water designated as outstanding resource waters, high quality waters or sensitive water supplies, any state environmental agency having regulation and enforcement responsibilities over such non-point source discharges will base compliance with Oklahoma's Water Quality Standards for the discharges on the

maximum daily load of such bodies of water". The bill was filed 22 January 2004 and can be accessed at http://www.lsb.state.ok.us/2003-04HB/HB2705_int.rtf. Representative Roy McClain (D)

(UPDATE) **Oklahoma S.B. 304 – Water.** This bill modifies the definition of waters of the state to read, waste treatment systems, including treatment ponds or lagoons designed to meet federal and state requirements, other than cooling ponds as defined in the Clean Water Act or rules promulgated thereunder, and prior cropland are not waters of the state. This is a carryover bill from the 2003 session. Although water issues may be considered this session, legislative sources indicate that new bills (introduced in 2004) are more likely to be considered, rather than those carried over from 2003. Legislative sources indicate that bills that carry over from one session to the next, particularly those that were never considered the first time, are very rarely taken up in the second session. The bill can be viewed at http://www.lsb.state.ok.us/2003-04SB/SB304_int.rtf. Sponsor: Senator Kevin Easley (D)

(UPDATE) **Oklahoma S.B. 1270 - Environmental Administrative Procedures, Pollution Prevention, Groundwater.** Senate Bill 1270 creates the Oklahoma Agriculture Pollutant Discharge Elimination System Act that establishes water programs responsible for water quality, including, but not limited to point source and non-point source pollution within the environmental jurisdiction of the Department of Environmental Quality, public and private water supplies, public and private wastewater treatment, water protection and discharges to waters of the State. It also sets a penalty for failure to comply with regulations. The bill was filed 26 January 2004 and can be accessed at http://www.lsb.state.ok.us/2003-04SB/SB1270_int.rtf. Sponsor: Senator Johnnie Crutchfield (D)

(UPDATE) **Oklahoma S.B. 1421 - Groundwater, Transportation Of Water.** S.B. 1421 establishes a moratorium on the sale or and/or groundwater outside this State or a three-year period beginning 6 June 2002. The bill further states that this act is not intended to affect water used for commercial or agricultural purposes in an amount, which may be transported, by light truck or other noncommercial transportation vehicles. The bill was filed 27 January 2004 and can be accessed at http://www.lsb.state.ok.us/2003-04SB/SB1421_int.rtf. Sponsor: Senator Jay Paul Gumm (D)

(UPDATE) **Oklahoma S.B. 1459 - Water, Groundwater.** Establishes a moratorium on the sale or exportation of surface water and/or groundwater outside this state for a three-year period beginning 6 June 2002, unless earlier repealed or revoked by the Oklahoma Legislature or by approval of a referendum of the citizens of the counties where the water proposed for such sale or exportation originates. The bill was filed 27 January 2004 and can be accessed at http://www.lsb.state.ok.us/2003-04SB/SB1459_int.rtf. Sponsor: Senator Jeff Rabon (D)

STATE OF OKLAHOMA PROPOSED RULE

(UPDATE) **OK Department Of Environmental Quality Proposed Regulation 12/01/03: Revisions To The Hazardous Waste Regulations Through The Adoption Of Federal Amendments (OAC 252:205-3-1, 205-3-2, 205-21-5).** The Department has proposed to adopt by reference the federal hazardous waste regulations found in 40 CFR revised as of 1 July 2003. Specifically the following federal registers amend the rules that were adopted by reference in January 2003, regarding zinc fertilizers made from recycled hazardous secondary materials; national treatment variances for radioactively contaminated batteries; and standards for hazardous air pollutants for hazardous waste combustors. The Department has already adopted the Federal de-listing rules by reference. This rulemaking will make changes to the Federal rules previously adopted by reference, adding a new Subchapter 25 to the Department rules to implement the de-listing program in Oklahoma. The proposed new Appendix D adds a new application fee to the basic fee for de-listing applications. The new Appendix E will require that the application include, the facility name, location and de-listed waste, upon completion of the de-listing process. A meeting of the Hazardous Waste Management Advisory Council was held on 01/08/04 to discuss the proposal and an Environmental Quality Board meeting was held to discuss the proposal on 02/27/04. A draft rule is available at <http://www.deq.state.ok.us/lpdnew/Draft Rules/Haz Waste/205RuleforDelisting.pdf>. For additional details, please contact Gail Hamill at (405) 702 5100.

(UPDATE) **OK Department Of Environmental Quality Departmental Discussion: Attainment Of The 8-Hour Ozone Standard In OK.** The Department is discussing the development of a modeling protocol and subsequent early SIP submittal to address attainment of the 8-hour ozone standard in OK. The early SIP submittal would be the result of a local Early Action Compact (EAC) (Regulation ID # OK0008396). The Early Action Compact concept allows an area to defer on official designation of non-attainment for ozone if an early approvable SIP is submitted. A public hearing is expected by April 2004. For additional information, please contact Leon Ashford at (405) 702-4173.

(UPDATE) **OK Department Of Environmental Quality Proposed Regulation Published 6/16/03: Increase In The Annual Operating Fee For Part 70 Sources In 252:100-5-2.2 And Exemption Of Other Sources (252:100-5, 7, 13, 19, 23, 24, 33, 37).** The Department is proposing an increase in the annual operating fee for Part 70 sources in 252:100-5-2.2. The Department is proposing to replace the permit by rule with a new category to be called permit exempt facility. To do this, the Department is proposing revisions to sections in Subchapters 5, 7, 19, 23, 24, and 37 and proposes to revoke Appendix L. This will include the elimination of annual operating fees for permit exempt facilities. The Department is proposing amendments to Subchapter 13, Open Burning, to clarify the scope of exemptions that allow open burning for purposes of fire training. Section 9 will also be amended to exempt hydrocarbon flares from the prohibition against burning between sunset and sunrise. The Department is proposing to replace an existing emergency rule with a permanent rule to exempt glass-melting furnaces that utilize BACT from the requirements of Subchapter 33 or otherwise set a new standard for glass-melting furnaces that is attainable. The Department also proposes to revise the definition of "new fuel- burning equipment" to reflect that direct-fired fuel-burning equipment did not become subject to Subchapter 33 until 1977. A hearing was held on 07/16/03 and Subchapter 33 revisions have been approved by the Department and approved by the Governor. It is anticipated that Subchapters 5, 7 and 13 will go to the Environmental Quality Board on 09/27/04 for approval. *For additional information, please contact Joyce Sheedy at (405) 702-4100.*

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OTHER REGULATORY ACTIVITY AND GENERAL INFORMATION

Homeland Security Information. Oklahoma Office of Homeland Security, Bob A. Ricks, Director; CPT Kerry Pettingill, Deputy Director, (405) 425-7296. Web page:
<http://www.youoklahoma.com/agencies/contact.php?page=191>. Web page:
<http://www.youoklahoma.com/homelandsecurity/>

TEXAS

Legislative/Regulatory Activity

Note: The Texas legislature is not in regular session in 2004.

STATE OF TEXAS FINAL RULE

TX Commission On Environmental Quality Final Regulation Published 01/30/04: Specification Of Location Requirement/Compliance Demonstration Criteria For Portable Facilities (30 TAC 116).

The Commission has adopted new regulations that provide criteria for determining compliance of portable facilities with distance limitations for the review and approval of permit applications. It affects owners and operators of portable facilities such as concrete crushers, concrete batch plants, and hot mix asphalt plants. The regulations define how distance measurements should be taken and when they would be applicable in relation to certain air permit actions subject to public notice and hearing procedures; allow for the storage of an inoperative concrete crusher within 440 yards of a residence, school, or place of worship; clearly define how distance measurements should be taken and when distance limitations are applicable for concrete crushing facilities; and excuse concrete crushers from distance requirements when recycling broken concrete at temporary demolition sites unless the facility is located in a county with a population of 2.4 million or more or in a county adjacent to such a county. The Commission adopted the regulation, effective 02/04/04. The regulation can be accessed at http://www.tnrc.state.tx.us/oprd/rule_lib/plsummaries/03046116_pls.pdf. *For additional information, please contact Clifton Wise at (512) 239-2263.*

(UPDATE) **TX Commission On Environmental Quality Final Regulation Effective 09/01/03: Edwards Aquifer (30 TAC 213.3, 213.5).** The Commission has amended its requirements for the Edwards Aquifer. The amendments: (1) revise the definition of "geologist" to be a Texas licensed professional geoscientist who has training and experience in groundwater hydrology and related fields that enable that individual to make sound professional judgments regarding the identification of sensitive features located in the recharge zone or transition zone; and (2) require geologic assessment reports be prepared by a Texas-licensed geologist and must be signed, sealed, and dated by the geologist preparing the report. *For additional information, please contact Lola Brown at (512) 239-6814.*

(UPDATE) TX Commission On Environmental Quality Final Regulation: Drinking Water Surface Water Treatment Rules (30 TAC 290.38, 290.39, 290.41 – 290.47, 290.104, 290.106, 290.107, 290.111, 290.117, 290.121, and 290.122). The Commission has amended state rules to conform to the federal National Primary Drinking Water Regulations: Long Term 1 Enhanced Surface Water Treatment Rule and the federal National Primary Drinking Water Regulations: Filter Backwash Recycling Rule published by the EPA on June 8, 2001. The Commission also made technical corrections to the state rules that are analogous to minor revisions made by the EPA to the federal National Primary Drinking Water Regulations for Lead and Copper, also known as the federal Lead and Copper Rule Minor Revisions and the federal National Primary Drinking Water Regulations: Public Notification Rule. In addition to these federally mandated revisions, the Commission adopted the following changes: several amendments that specify how the agency implements various regulatory requirements; requirements for the laboratories at surface water treatment plants; and updates to several provisions to conform state rules to current design practices. The rules were approved 01/28/04. The final regulation was adopted with an effective date of 2/19/04. The rules are available online at http://www.tnrcc.state.tx.us/oprd/rule_lib/adoptions/03013290_ado.pdf. For additional information, please contact Ray Henry Austin at (512) 239-6814.

STATE OF TEXAS PROPOSED RULE

(UPDATE) TX Commission On Environmental Quality Proposed Regulation Published 1/30/04: Permits By Rule Study Phase I (30 TAC 106). The Commission is proposing to amend and repeal several permits by rule (PBR), specifically those that affect trench burners, small to medium size law enforcement agencies, concrete batch plants, non-profit organizations, and water and soil remediation facilities. The proposal would eliminate the concrete batch plant permit by rule (PBR); reduce PBR registration fees for nonprofit organizations; specify that the fee does not apply to a certification submitted solely for the purpose of federally enforceable limit certifications; reduce fees for reviews associated with the remediation of sites claiming registration related to waste processes and remediation; exempt remediation projects from registration fees; specify that additional fees are not required for re-submittals of PBRs due to insufficient information or updates to recently submitted PBR registrations; eliminate the PBR for single-chambered incinerators; allow law enforcement agencies to use a PBR to incinerate confiscated illegal drug evidence; identify all of the general and specific design requirements for incinerators under the PBR, including temperature, residence time, and burn rate; require a compliance demonstration when destroying confiscated drugs; eliminate the PBR for direct flame incinerators; correct citations and cross-references, reduce registration requirements, establish a notification procedure, and update technical requirements for aboveground air curtain incinerators and trench burners, including the requirement that air curtain incinerators must be operated at least 300 feet from the closest property line; allow traditional trenches equipped with fan manifolds to circulate combustion air and allow for new aboveground units that have equivalent parameters; allow permanent facilities to be authorized under the PBR if categorized as a municipal solid waste or noncommercial industrial site; and provide for a rapid authorization mechanism for remediation projects at gasoline stations and dry cleaning facilities, and establish technical requirements for all facilities performing remediation activities. For additional information, please contact Debra Barber at (512) 239-0412.

(UPDATE) TX Commission On Environmental Quality Proposed General Permit Published 09/27/02: Authorization Of Discharge Of Storm Water And Certain Non-Storm Water Discharges From Small Municipal Separate Storm Sewer Systems (§26.040). The Commission is proposing to issue a general permit (Proposed General Permit No. TXR040000) covering eligible storm water, and certain types of non-storm water, discharges to surface water in the state. The proposed general permit covers the entire state of Texas. Discharges to surface water in the state are conditionally authorized by the proposed general permit under Section §26.040 of the Texas Water Code. Where permit requirements and storm water management plans are properly implemented, no significant degradation is anticipated. The proposed general permit provides requirements for regulated small Municipal Separate Storm Sewer System (MS4) operators for the development, implementation, and maintenance of a Storm Water Management Program. Discharges by small MS4s of storm water, and certain types of non-storm water, are eligible for authorization under the proposed general permit only if the small MS4 is located within an urbanized area, as defined by the US Bureau of Census for the 1990 or 2000 Decennial Census. MS4s designated by the Commission as requiring authorization may also be permitted under the proposed general permit. Non-storm water discharges that are not specifically listed in the general permit are not authorized by the general permit. Finalization of the permit is not expected until spring 2004. The proposed rule is available online at: <http://www.tnrcc.state.tx.us/permitting/waterperm/wwperm/txr040000.pdf>. For additional information, please contact Steve Ligon at (512) 239-4527.

(UPDATE) TX Commission On Environmental Quality Proposed Regulation: Repeal Of The Groundwater Management Area Designations. 2003-014-294-WT (30 TAC 294). The Commission has proposed to repeal the Groundwater Management Area Designations under Chapter 294, Subchapters, A, B, and F because the program authority was transferred to the Texas Water Development Board (TWDB) by recent legislation. TWDB adopted rules and designations to implement the program on November 13, 2002. This repeal will have no effect on existing groundwater conservation districts or on landowners filing petitions with the TCEQ for groundwater conservation district creation. Chapter 294 is proposed to be renamed Priority Groundwater Management Areas to accurately reflect the content of the chapter due to the proposed repeals. The Commission is planning to adopt the regulation on 05/12/04. The proposed rule is available online at http://www.tnrc.state.tx.us/oprd/rule_lib/proposals/03014294_pro.pdf. For additional information, please contact Emily Barrett at (512) 239-3546.

(NEW) TX Commission On Environmental Quality Draft Plan: January 2004 Update To Water Quality Management Plan. The Commission is preparing the January 2004 update of the Water Quality Management Plan (WQMP). The WQMP is developed and promulgated in accordance with the requirements of the Federal Clean Water Act (CWA), Chapter 208. The update includes: (1) projected effluent limits of indicated domestic dischargers useful for water quality management planning in future permit actions; (2) service area populations for listed wastewater treatment facilities; and (3) designated management agency information. Written comments are due 03/08/04. The final plan can be viewed at http://www.tnrc.state.tx.us/permitting/waterperm/wqmp/jan_04_draft.pdf. For additional information, please contact Nancy Vignali at (512) 239-1303.

(NEW) TX Commission On Environmental Quality Draft Regulation: Revision Of Official Maps For Edwards Aquifer Recharge Zone (30 TAC 213.3 (27)). The Commission is revising the official maps for the Edwards Aquifer recharge zone that are incorporated by reference in 30 TAC 213.3 (27). Owners or developers of land in certain areas that are currently in transition or contributing zones may be directly affected by re-designation of those areas as recharge zone. The revision is scheduled for proposal on 04/07/04 and adoption is expected on 09/15/04. For additional information, please contact Debi Dyer (512) 239-3972.

(NEW) TX Commission On Environmental Quality Departmental Discussion: Revisions To Air Permits By Rule And Standard Permit For Municipal Solid Waste Landfill Facilities (30 TAC 106; 30 TAC 116). The Commission is planning revisions to Municipal Solid Waste Landfill standard permit and permit by rule. The revisions to the standard permit will enable more landfills to qualify for this authorization and enable a landfill owner or operator to apply for a single, streamlined authorization for all facilities at the landfill. The revisions to permit by rule will limit the confusion by industry that all activities at a landfill are authorized by the permit by rule. The Commission has established a tentative schedule for rulemaking. The schedule is as follows: Proposal 05/26/04; Public Hearing 07/07/04; Comments due 07/12/04; Effective date 11/04/04. For additional information, please contact Clifton Wise at (512) 239-2263.

(NEW) TX Commission For Environmental Quality Departmental Discussion: Emissions Banking And Trading Enhancements (30 TAC 101.300, 101.302, 101.311, 101.356, 101.369, 101.370, 101.373, 101.374, 101.376). The Commission is planning revisions to its emissions banking and trading rules. The revisions will accommodate changes in emissions inventories, promote smooth program administration, establish a system to regulate discrete emission credit use throughout a program area in a given year, and correct the discrete emission credit generation equation. The Commission has established a tentative schedule for rulemaking. The schedule is as follows: Proposal 04/28/04; Public Hearing 06/07/04; Comments due 06/14/04; Effective date 10/07/04. For additional information, please contact Alan Henderson at (512) 239-1510.

OTHER REGULATORY ACTIVITY AND GENERAL INFORMATION

(NEW) TX Department Of Health Adopted Regulations 02/05/04: Regulations Concern Recommended Allowable Concentrations Of Toxic Gases That Are Being Made Available To The Public (§§295.101-295.109). The Department has repealed existing §§295.101-295.109, concerning occupational health rules and guidelines, and adopted new §295.101, concerning recommended allowable concentrations of toxic gases that are being made available to the public. As part of its periodic review, the Department determined that §295.101 needed revisions and proposed it as a new section under an amended subchapter heading. Sections 295.102-295.109 were reviewed and the department determined that the reasons for adopting the sections as rules no longer continue to exist. The new rule clarifies the change in purpose of the section, removes obsolete exposure

limits for hazardous substances, and provides recommended allowable concentrations of toxic gases. Sections 295.102-295.109 were repealed because the sections were intended by the Legislature to serve only as guidance standards. The Department adopted the regulation, effective 02/05/04. *For additional information, please contact Elias Briseno at (512) 834-6635.*

(NEW) TX Commission On Environmental Quality Proposed Report: Water Quality Inventory And 303(d) List. The Commission has submitted portions of its 2004 Draft Water Quality Inventory and 303(d) List report for public comment. The Commission is soliciting comments on: (1) any new information contained in its 2004 Assessments of Individual Water Bodies; (2) categories assigned to parameters where new information has caused the category to change; (3) guidance changes indicated as new and not implemented previous to 2004; and (4) TMDL ranking. The draft is available online at http://www.tnrcc.state.tx.us/water/quality/04_twqi303d/04_index.html. *For additional information, please contact Patrick Roques at (512) 239-4604.*

(NEW) TX Commission On Environmental Quality Draft Regulation: Water Conservation And Drought Contingency Plans (288.1-288.5, 288.20-288.22, 288.30). The Commission is preparing a rulemaking that implements the minimum levels of water conservation in water conservation plans (from House Bill 2660) and that relates to the establishment of quantifiable goals for drought contingency plans (from House Bill 2663). The proposal will require certain surface water right holders and future water rights applicants to include specific and quantifiable five-year and ten-year targets for water savings within their water conservation plans by May 1, 2005. The plans will have to include implementation reports listing the dates and descriptions of the conservation measures implemented. The draft is available online at http://www.tnrcc.state.tx.us/oprd/rule_lib/proposals/04004288_PRO.pdf. The rule is expected to be approved for proposal 02/25/04. Comments are due 4/12/04. *For additional information, please contact Kathy Ramirez at (512) 239-6757.*

(UPDATE) TX Commission On Environmental Quality Proposed Report: 2002 Integrated Water Quality Monitoring And Assessment Report (303(D), 305(B)). The Commission adopted the impaired waterbody assessments for: (1) Canadian River Basin; (2) Red River Basin; (3) Sulphur River Basin; (4) Sabine River Basin; (5) Neches River Basin; (6) Neches-Trinity Coastal Basin; (7) Cypress River Basin; (8) Trinity River Basin; (9) Trinity-San Jacinto Coastal Basin; (10) San Jacinto River Basin; (11) San Jacinto-Brazos Coastal Basin; (12) Brazos River Basin; (13) Brazos-Colorado Coastal Basin; (14) Colorado River Basin; (15) Colorado-Lavaca Coastal Basin; (16) Lavaca River Basin; (17) Lavaca-Guadalupe Coastal Basin; (18) Guadalupe River Basin; (19) San Antonio River Basin; (20) San Antonio-Nueces Coastal Basin; (21) Nueces River Basin; (22) Nueces -Rio Grande River Basin; (23) Rio Grande river Basin; (24) Bays and Estuaries; and (25) Gulf of Mexico. The Commission has combined the 303(d) list of impaired waters and the 305(b) methodology for identifying impaired waters, and has released the proposed 2002 Water Quality Monitoring and Assessment report. The Integrated Report is a summary of the status of surface waters in the state, in accordance with new draft guidance issued by the USEPA. The Integrated Report will be used by the Commission for management decisions including monitoring, planning, and implementing; for funding best management practices to control pollution sources; and to develop a list of impaired waters for the purpose of selecting water bodies for which total maximum daily load analyses will be initiated. The final draft is available online at http://www.tnrcc.state.tx.us/water/quality/02_twqmar/index.html. USEPA approval is not expected until spring or summer of 2004. *For additional information, please contact Patrick Roques at (512) 239-4604.*

(UPDATE) TX Commission On Environmental Quality Departmental Discussion: Amendments To Rules Governing Petroleum Storage Tanks (30 TAC 334.2, 334.49, 334.302, 334.306, 334.307, 334.308, 334.309, 334.310, 334.313, 334.314, 334.322, 334.533 And 334.560). The Commission is discussing amendments to the Petroleum Storage Tank (PST) rules. The amendments will concern: (1) definitional changes; (2) registration for Underground Storage Tanks (USTs) and UST Systems; (3) certification for USTs and UST Systems; (4) reporting and record Keeping; (5) corrosion protection; (6) permanent removal from service; (7) general conditions and limitations regarding reimbursements; (8) application requirements; (9) technical information; (10) costs; (11) eligibility requirements; (12) fund payment reports; (13) audits; and (14) notices of overpayment. The Texas Natural Resources Conservation Commission (now called the Texas Commission on Environmental Quality) formed a PST Advisory Group to solicit comments on the rules. The Group met 09/20/02 and various subcommittees met in October 2002, to draft amendments that were made available 11/15/02. Rulemaking was on hold but has resumed. It is reported that the rules will be proposed before the Commission on 03/10/04. If approved, the rules will be published in the Texas Register on 03/26/04. The Commission has established a tentative schedule for upcoming actions subsequent to proposal. This schedule is as follows: Comment period 3/26/04 to 4/26/04; Final adoption 9/15/04; Effective date 10/7/04. The proposed rule can be found at http://www.tnrcc.state.tx.us/permitting/r_e/reimb/stake_reimb.html#rules. *For additional information, please contact*

Michael Bame at (512) 239-5658.

OTHER REGULATORY ACTIVITY AND GENERAL INFORMATION

Homeland Security Information. Texas Division of Emergency Management, Jack Colley, State Coordinator (512) 424-2443 (jack.colley@txdps.state.tx.us); Steve Vaughn, Asst State Coordinator (steve.vaughn@txdps.state.tx.us), (512) 424-2434. Web page: <http://www.txdps.state.tx.us/dem/>.

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REGION 7 STATE ACTIVITY

Regulatory & Legislative Web Sites	
Iowa Department of Natural Resources (IDNR)	http://www.state.ia.us/dnr/
Iowa General Assembly	http://www.legis.state.ia.us/
Kansas Department of Health and Environment (KDHE)	http://www.kdhe.state.ks.us
Kansas Legislature	http://www.kslegislature.org/cgi-bin/index.cgi
Missouri Department of Natural Resources (MDNR)	http://www.dnr.state.mo.us/homednr.htm
Missouri General Assembly	http://www.moga.state.mo.us/
Nebraska Department of Environmental Quality (NDEQ)	http://www.deq.state.ne.us
Nebraska Legislature	http://www.unicam.state.ne.us/

Homeland Security Information. FEMA REGION VII (Kansas City), Dick Hainje, Director, (816) 283-7061. Web page: <http://www.fema.gov/regions/vii/index.shtm>.

IOWA

Legislative/Regulatory Activity

STATE OF IOWA PROPOSED RULES

(UPDATE) **IA Department Of Natural Resources Proposed Regulation: Amendment To Chapter 61, Water Quality Standards.** The Department is proposing an amendment to the water quality standards. The proposed changes include the following: (1) numerical water quality criteria for chloride for the protection of aquatic life and general uses are being established; (2) the current total dissolved solids (TDS) numerical criterion of 750 mg/l is being replaced with a site-specific approach for establishing discharge limits for dissolved solids; (3) the current B(LW) Lakes and Wetlands use designation will be replaced with separate designations for each of the two types of waterbodies – lakes and wetlands; (4) several lakes and wetlands will be added to the rule (reference document “Surface Water Classification”); (5) all the waterbodies currently designated as Class B(WW) warm-water and Class B(CW) coldwater and those being re-designated as Class B(L) lakes in the rule–referenced document “ Surface Water Classification” will be designated as Class A2 secondary contact recreational waters; (6) several streams will be added as Class B(LR) streams, two Class B(WW) streams will be re-designated as B(LR) streams, and corrections to stream locations will be made in the rule–referenced document “Surface Water Classification”; (7) the rule–referenced document “Protected Flows for Selected Stream Segments” will be amended to add several streams and correct the locations and protected flows of several other streams for consistency with the document “Surface Water Classification”. The rule was scheduled for discussion at the 02/16/04 EPC meeting but was tabled until the 03/15/04 meeting. *For additional information, please contact Ralph Turkle at (515) 281-7025.*

(UPDATE) **IA Department Of Natural Resources Proposed Regulation: Commercial And Industrial Solid Waste Incineration Emissions Guidelines (567 IAC 23).** The Department is proposing a rulemaking to establish emission guidelines and compliance schedules for the control of emissions from commercial and industrial solid waste incinerators (CISWI). The purpose of this rulemaking is to adopt by reference Subpart III of 40 CFR Part 62. Subpart III establishes emission requirements and compliance schedules for the control of emissions from commercial and industrial solid waste incineration (CISWI) units that commenced construction on or before 11/30/99 and are not covered under an approved state plan. The Environmental Protection Commission received

approval to proceed with the rulemaking at their 11/17/03 meeting. A public hearing was held 01/16/04. Written comments were due 01/16/04. The rulemaking was approved at the Environmental Protection Commission meeting 02/16/04 and forwarded for publication in the Iowa Register with an effective date of April 21, 2004. *For additional information, please contact Jim McGraw at (515) 242-5167.*

OTHER REGULATORY ACTIVITY AND GENERAL INFORMATION

(UPDATE) IA Department Of Natural Resources Departmental Discussion: Ambient Air Monitoring Network. The Department has created an ambient air monitoring network, which was a recommendation from the Governor's Task Force report on Air Toxics issues. The Department formed a task force, at the request of Governor Tom Vilsak, to study the health impacts of air toxics and make recommendations for the regulation of air toxics in Iowa. The final report was made available to the public 02/03/00. Related recommendations include the completion of a statewide emissions inventory (see IA0003369) and a public education program to inform citizens about air toxics and the role citizens play in improving air quality. The air monitoring network is smaller than originally recommended by the Task Force, due to a decrease in funds. Reports indicate elevated levels of formaldehyde and benzene (a "hot spot"), probably caused by traffic conditions have been detected. The Department issued a report of its findings by the end of June 2002. Apparently, the Department has not yet decided whether it will recommend to the Department of Transportation that they consider implementing urban planning and traffic congestion strategies. The Department set up new monitors 01/01/03. The Department will make the determination on how to address the hot spot, and at that time may contact the Department of Transportation. The Department is collecting data through the end of 2003. It is reported that the Department intends to increase the number of monitors to 10 this spring/summer 2004 with a focus on monitoring sites close to CAFO's that are large enough to require a statutory "separation distance" under the current law. The department has proposed a level of 15 ppb (1hr average) not to be exceeded more than seven times a year as a trigger level to initiate plans and programs for air pollution control. *For additional information, please contact Sean Fitzsimmons at (515) 281-8923.*

Homeland Security Information. Iowa Homeland Security, Emergency Management Division, Ellen M. Gordon, Administrator and Iowa Homeland Security Advisor, (515) 281-3231. Web page: <http://www.iowahomelandsecurity.org/>.

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KANSAS

Legislative/Regulatory Activity

STATE OF KANSAS PROPOSED LEGISLATION

(UPDATE) Kansas H.B. 2607 - Solid Waste. H.B. 2607 requires an applicant to complete a preliminary site evaluation before submitting a permit application for a solid waste disposal area and before any local zoning action is taken or a solid waste management plan consistency certification is made related to the proposed facility. It also requires the secretary to consider factors such as the type or types of waste disposed and the size of the proposed facility. There is also a requirement that the preliminary site evaluation include, but not be limited to (1) an evaluation of applicable location restrictions; (2) a description of site characteristics in accordance with criteria established in rules and regulations adopted by the secretary; and (3) a list of applicable standards prescribed by rules and regulations adopted by the secretary based upon the type of landfill and identified site characteristics. The bill was introduced on 28 January 2004 and referred to the House Environment and Appropriations Committees on 29 January. The entire bill can be viewed at <http://www.kslegislature.org/bills/2004/2607.pdf>. Sponsor: House Environment Committee

AEC CREO Comment: The CREO has provided comment on this bill to address a potential fee-tax issue.

STATE OF KANSAS FINAL RULE

(UPDATE) Kansas Department Of Health And Environment Final Regulation: Revisions To Kansas Surface Water Register. The KDHE adopted revisions to the Kansas Surface Water Register in 2003. Three hundred fourteen stream segments and 107 lakes have been evaluated by a use attainability analysis (UAA) to determine the appropriate recreational use designation. Preliminary comments on the proposed designations were accepted until 04/03/03. KDHE staff report the Kansas Surface Water Register will be revised during the August-

September, 2003 timeframe. With the passage of HB 2219 during the 2003 legislative session, the new designations (Primary A, B, C and Secondary A, B contact recreational uses) must be incorporated into the 2003 revision. The register was adopted 12/15/03 and became effective 01/23/04. Details can be viewed at http://www.kdhe.state.ks.us/befs/download/204_listing.pdf. For additional information, please contact Craig Thompson at (601) 960-7723.

(UPDATE) KS Department Of Health And Environment Final Regulations: Amendments To Solid Waste Planning Regulations (28-29-75 through –82). The Department adopted revisions to the solid waste planning regulations. The amendment conforms the regulations to recent statute changes. The regulation was amended to (1) include general provisions for the preparation, adoption and submission of a solid waste management (SWM) plan; (2) describe the duties of the SWM committee; (3) clarify the requirements of the SWM system; (4) establishing a new SWM plan by the local (county/city/township) solid waste authority; (5) approval of SWM plan by the Secretary; (6) annual and five-year review procedures for SWM plan; (7) criteria for revisions to a SWM plan. The Department held a hearing 01/21/04 and adopted the regulations. They will become effective 03/05/04. For more information, please contact George McCaskill at (785) 296-1606.

STATE OF KANSAS PROPOSED RULE

(UPDATE) KS Department Of Health And Environment Draft Regulation: Solid Waste Rules Amendments Of Requirements For Groundwater In Relation To Municipal Waste Landfills. The Kansas Department of Health and Environment (KDHE) has prepared draft amendments to its solid waste rules. The amendments cover groundwater requirements in relation to municipal waste landfills, permit fees and vertical expansion. The amendments will also streamline laboratory requirements, address sampling and statistical analysis, and update the current requirements. KDHE staff report that the regulation has been sent for internal review by the Department of Administration and the Attorney General. For more information, please contact George McCaskill at (785) 296-1606.

OTHER REGULATORY ACTIVITY AND GENERAL INFORMATION

(UPDATE) KS Department Of Health And Environment Departmental Discussion: 2004 303(D) List. The Department has drafted the 2004 303(d) list. Section 303(d) of the Clean Water Act requires that States develop a list of water bodies needing additional work beyond existing controls to achieve or maintain water quality standards. This Section 303(d) list is meant to identify waters that require Total Maximum Daily Loads (TMDLs) because technology-based effluent limitations, more stringent State or local effluent limitations, and other pollution control requirements such as best management practices, are not stringent enough to implement applicable water quality standards. The draft list was issued 01/30/04. The Department had scheduled hearings on 02/24/04 (Garden City), 02/25/04 (Wichita) and 02/26/04 (Topeka). Comments were accepted until 03/01/04. For additional information or questions, please Tom Stiles at (785) 296-6170.

KDHE Water Security Links. The Kansas Department of Health and Environment, Bureau of Water has provided links regarding water utility security and bio-terrorism information on the following web page: <http://www.kdhe.state.ks.us/water/security.html>.

Homeland Security Information. Kansas Emergency Management and Homeland Security, MG Tod M. Bunting, Director and Kansas Adjutant General, (785) 274-1911. Web page: <http://www.accesskansas.org/kdem/>.

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MISSOURI

Legislative/Regulatory Activity

STATE OF MISSOURI PROPOSED LEGISLATION

(NEW) Missouri H.B. 980 - Environmental Administrative Procedures. Missouri H.B. 980 requires a department, board, or commission to conduct a regulatory impact report for each proposed rule. The bill was introduced and read first time 8 January 2004 and read a second time 12 January then referred to the Agriculture Committee on 14 January. A hearing was held on 20 January. The contents of the bill can be viewed at <http://www.house.state.mo.us/bills041/biltxt/intro/HB0980l.htm>. Sponsor: Representative Robert Thane Johnson (R)

(NEW) **Missouri H.B. 1181 - Inspection And Maintenance Programs.** H.B. 1181 requires the Air Conservation Commission to suspend operation of any motor vehicle emissions inspection program established under sections 643.300 to 643.360 of the Air Quality Attainment Act by 1 January 2005. The bill was introduced 22 January 2004 but has yet to be referred to a Committee. The contents of the bill can be viewed at <http://www.house.state.mo.us/bills041/biltxt/intro/HB1181I.htm>. Sponsor: Representative Harold R. Selby (D)

(NEW) **Missouri H.B. 1277 - Hazardous Waste.** This bill requires the Hazardous Waste Management Commission to convene a task force, beginning 1 July 2004, to consider proposals for restructuring the fees paid by hazardous waste generators and hazardous waste facilities. The task force will also consider options for expanding the fee structure to more fairly apportion the cost of services provided among all those that benefit from those services. This allows Missouri treatment, storage, and disposal facilities that receive hazardous material from out-of-state generators to submit registration information to the Department of Natural Resources. The bill was introduced and referred to Conservation and Natural Resources Committee 29 January 2004 and a hearing was scheduled for 5 February. The bill can be accessed at <http://www.house.state.mo.us/bills041/biltxt/intro/HB1277I.htm>. Sponsor: Representative Merrill Townley (R)

(NEW) **Missouri H.B. 1432 – Fuels.** This bill requires all diesel fuel sold or offered for sale in the state of Missouri on or after 1 July 2006, to contain at least 2% biodiesel fuel oil by volume. The bill has yet to be referred to a Committee. To view the bill, please go to <http://www.house.state.mo.us/bills041/biltxt/intro/HB1432I.htm>. Sponsor: Representative James Whorton (D)

(NEW) **Missouri H.B. 1457 - Environmental Administrative Procedures.** This bill requires the Missouri Department of Natural Resources (MDNR) to notify permit holders who fail to file required reports before the DNR may fine or penalize, also contains exceptions to the requirement. The bill was introduced and read first time 10 February and read a second time on 12 February. The bill can be accessed at <http://www.house.state.mo.us/bills041/biltxt/intro/HB1457I.htm>. Sponsor: Representative Lanie Black (R)

(UPDATE) **Missouri S.B. 739 - Environmental Administrative Procedures.** The current version (27 January) requires a regulatory impact report for all rules of hazardous waste, soil and water, petroleum storage tank insurers, land reclamation, safe drinking water, air conservation, and clean water commissions and funds. The bill reported favorably from Committee on 22 January. It was substituted and adopted on the floor 27 January and referred to the Governmental Accountability and Fiscal Oversight Committee 28 January. A hearing was held and reported favorably from Committee on 2 February. It passed the Senate and first read in House on 9 February and read a second time on 10 February and referred to the Agriculture Committee on 12 February. The bill can be accessed at <http://www.senate.mo.gov/04info/billtext/perf/sb739.htm>. Sponsor: Senator David Klindt (R)

(UPDATE) **Missouri S.B. 987 – Water.** This act requires that the petition needed to form a public water supply district be verified by at least one of the signers of the petition and eliminates the six-month restriction limiting municipalities and public water supply districts from forming agreements to provide water service to areas that have been annexed to the municipality. The bill was prefiled 6 January 2004, read first time 7 January and read the second time January 20. The contents of the bill can be viewed at <http://www.senate.mo.gov/04info/billtext/intro/sb987.htm>. Sponsor: Senator Edward Quick (D)

STATE OF MISSOURI FINAL RULE

(UPDATE) **MO Department Of Natural Resources Final Regulations Effective 11/30/03: Revisions To The Public Notice Requirements For Public Water Systems (10 CSR 60-04.020, 08.010, 08.030, 09.010).** The Missouri Department of Natural Resources (MDNR) has adopted revisions to the public notice requirements for public water systems. The revisions are based on the USEPA rule published 05/04/00 and establish: (1) a 24-hour notice requirement for acute health risks; (2) public notice within 30 days for non-acute maximum contaminant level (MCL) violations; and (3) annual notice for most monitoring violations. The rule also simplifies health effects language and distribution requirements. The rule does not include a flowchart for boil water orders. The MDNR accepted informal comments on the draft prior to proposing a formal rulemaking. It was reported that the Commission approved the proposed rule at its 11/12/02 meeting. MDNR staff held hearing 05/22/03 and accepted comments until 07/01/03. The final rule became effective 11/30/03. The regulation can be viewed at

<http://www.sos.mo.gov/adrules/csr/current/10csr/10c60-8.pdf>. For additional information, please contact Pattie Richie at (573) 751-5331.

STATE OF MISSOURI PROPOSED RULE

(UPDATE) **MO Department Of Natural Resources Proposed Regulation: Development Of 2002 303(D) List.** The Department has adopted the 2002 section 303(d) list, identifying waters that have insufficient water quality treatment requirements and do not meet all applicable water quality standards. The Department has now proposed a new listing methodology document describes in detail how the Department plans to evaluate data to determine whether or not a stream or lake should be placed on the list. During review of the proposed 2002 303(d) List, the Missouri Clean Water Commission directed staff to develop a rulemaking to codify the methodology prior to promulgating the 303(d) List as rule. The methodology used for developing the 303(d) List is required to be submitted to EPA. This rulemaking will allow staff to meet the directive of the Missouri Clean Water Commission to codify the existing methodology. The proposed regulation can be viewed at <http://www.sos.mo.gov/adrules/moreg/previous/2003/v28n24/v28n24b.pdf> (page 2240). For additional information, please contact John Ford at (573) 751-7428.

(UPDATE) **MO Department Of Natural Resources Proposed Regulation Published 09/15/03: Gasoline Delivery VOC Emissions Control (10 CSR 010-02.260).** The Department has adopted an amendment to add vapor line requirements to perform proper vapor recovery during fuel delivery at gasoline stations. These requirements were inadvertently omitted when the rule 10 CSR 010-02.260 was promulgated. The rule restricts volatile organic compound (VOC) emissions from the handling of petroleum liquids in the Kansas City metropolitan area that contribute to the formation of ozone in order to protect the environment. The intent of the original section (5) of this rule was to require vapor recovery during gasoline delivery (stage I) at a filling station, recovering no less than 90% of the gasoline vapors displaced during delivery. However, vapor line requirements were inadvertently omitted when the rule section was promulgated. This amendment to the rule will correct the omission and add the intended vapor line requirements requiring gasoline delivery vessel owners or operators to use one vapor line per product line when transferring gasoline to a gasoline storage tank. This will ensure gasoline vapor recovery of at least 90% by volume. The text of the proposal can be found at <http://www.sos.mo.gov/adrules/moreg/current/2003/v28n18/v28n18a.pdf>. The Department adopted the rule 12/4/03. The rule received legislative approval 2/2/04 and was filed with the secretary of state the same day. The rule was published on 3/1/04 in the Missouri Register, with an effective date of 3/30/04. For additional information, please contact Ben Elmore at (573) 751-4817.

OTHER REGULATORY ACTIVITY AND GENERAL INFORMATION

Homeland Security Information. Missouri Office of Homeland Security, Tim Daniel, Director; Center for Emergency Response and Terrorism, Pam Walker, Director, (573) 522-3007. Web page: <http://www.homelandsecurity.mo.gov/>. Web page: <http://ready.missouri.gov/>

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NEBRASKA

Legislative/Regulatory Activity

STATE OF NEBRASKA PROPOSED LEGISLATION

(UPDATE) **Nebraska L.B. 301 - Electronic Waste, Pollution Prevention.** This bill requires the Nebraska Environmental Trust Board to enter into an agreement with a contractor to develop and implement the program by creating short-term and long-term strategies for establishing a statewide system of determining the most efficient means of managing, collecting, storing, transporting, processing, recycling, reusing, or otherwise disposing of electronic equipment. It also requires the program to include: (1) working with local governments and businesses to determine the most efficient means of collecting, transporting, and processing scrap electronic equipment; (2) developing public education programs on the benefits of electronic equipment recycling and how to accomplish it; (3) providing grants to electronic equipment recycling businesses; (4) awarding grants to local governments and solid waste facility operators to pay processing and recycling costs assessed by authorized electronic equipment recyclers; and (5) carrying out the purposes of the Electronic Equipment Recycling Program and promote the recycling of electronic equipment. The measure has been introduced in previous sessions. The sponsor's office indicates that

they are working with the Nebraska State Recycling Association to issue grants that identify businesses that recycle and community recycling programs. The sponsor has indicated that they have seen great statewide success in voluntary recycling programs. He further indicated that after speaking with service repair people, the service people requested the fee to be raised because of the frequency of people dropping off their items for repair, and then failing to pick them up because the bill was too large. Goodwill Industries and the Salvation Army have also shown support for the measure. To access the bill, please go to http://www.unicam.state.ne.us/PDF/INTRO_LB301.pdf. Sponsor: Senator Donald G. Preister (I)

(UPDATE) **Nebraska L.B. 1122 - Environmental Administrative Procedures, Voluntary Remediation.** L.B. 1122 creates the Uniform Environmental Covenants Act. This bill applies traditional real estate law principles to environmental covenants to ensure that valid land use restrictions will be perpetually enforced against subsequent owners of the property, no matter how many times the affected real estate is transferred. It ensures that a covenant will survive despite tax lien foreclosures, adverse possession, and marketable title statutes. It also provides detailed provisions regarding termination and amendment of older covenants. It is indicated that the measure will receive a hearing within the next few weeks. The sponsor has indicated that the measure would provide clear rules for a valid real estate document, or environmental covenant, to regulate the use of brownfields when real estate is transferred from one person to another. To access the bill, please go to http://www.unicam.state.ne.us/pdf/INTRO_LB1122.pdf. Sponsor: Senator David M. Landis (I)

(UPDATE) **Nebraska L.B. 1135 – Water.** L.B. 1135 creates the Water Resources Trust Fund and permits money in the fund to be administered by the Department of Natural Resources. The bill can be viewed at http://www.unicam.state.ne.us/pdf/INTRO_LB1135.pdf. The bill was introduced on 20 January 2004 and was referred to Natural Resources Committee 22 January and was referred to the Revenue Committee a second time on 23 January. Sponsor: Senator Ed Schrock (I)

(UPDATE) **Nebraska L.B. 1172 - Water, Water Use, Transportation Of Water.** This bill requires a natural resources district to approve the withdrawal and transport of ground water when a public water supplier for municipal purposes applies for a permit from the Department of Natural Resources. This allows the natural resources district to be a party to any hearing on the permit request before the department. The bill was introduced on 21 January and referred to the Natural Resources Committee on 23 January. To access the bill, please go to http://www.unicam.state.ne.us/pdf/INTRO_LB1172.pdf. Sponsor: Senator Ed Schrock (I)

(UPDATE) **Nebraska L.B. 1173 - Water, Water Use, Groundwater.** This bill provides protection for municipal wellfields from encroachment from other water wells by requiring that a notice of intent be filed with the Department of Natural Resources to consider a wellfield. The bill was introduced 21 January 2004 and referred to the Natural Resources Committee on 23 January. When the Natural Resources Committee reported this measure, they recommended an amendment that must be considered by the whole Legislature before the bill is officially amended. The proposed amendment would: (1) allow a municipality three notices of intent to be on file with the Department of Natural Resources instead of the five allowed by the bill; (2) allow an individual who has obtained a permit to drill or construct a well six months prior to the notice of intent being filed with the Department to construct or drill the permitted well rather than sixty days determined in the bill; (3) allow the municipality to waive the protection of 1,000 feet for construction of a new or replacement well, unless the replacement well is drilled in accordance with current law; and (4) require the municipality to notify the Department, the land owner, and the owners of land adjacent to the proposed wellfield of its determination that the proposed wellfield is no longer suitable for the purpose within thirty days after such a determination is made, notwithstanding any other provision of this section. To view the bill, please go to http://www.unicam.state.ne.us/pdf/INTRO_LB1173.pdf. Sponsor: Senator Ed Schrock (I)

(UPDATE) **Nebraska L.B. 1195 - Land Use.** This bill permits the county board to designate specific types of plats that may be approved by the county planning commission or the planning director. Permits the county board to provide procedures in land subdivision regulation for appeal by any person aggrieved by any action of the county planning commission or planning director. L.B. 1195 was introduced 21 January 2004 and was referred to the Government, Military and Veterans Affairs Committee on 23 January. To access the bill, please go to http://www.unicam.state.ne.us/pdf/INTRO_LB1195.pdf. Sponsor: Senator David M. Landis (I)

OTHER REGULATORY ACTIVITY AND GENERAL INFORMATION

(NEW) **NE Department Of Environmental Quality Draft Report: 2004 303(d) List Of Waterbody Assessments.** The Department has issued a draft 2004 Surface Water Quality Integrated report for public review

and comment. The Department has prepared the report to comply with its obligation to identify waters not attaining assigned beneficial uses under 303(d) of the Clean Water Act. In addition to preparing this list, the state must prepare a report detailing the status of all waters under 305(b) of the Clean Water Act. The Department has prepared its report in compliance with the Clean Water Act requirements and for its own water quality management planning purposes (i.e. future monitoring, TMDL development, and best management practice implementation). After the Department finalizes the report, it will be submitted to the USEPA. The deadline for the submission of written comments is 03/12/04. A copy of the draft report is available at the website below under the "What's New About NDEQ" category: <http://www.deq.state.ne.us>. For additional information, please contact Pat O'Brien at (402) 471-3382.

Recycling Directory Now Available On Line. The 2003-2004 Nebraska Recycling Resource Directory is now available on line. The Directory provides a wide array of useful recycling information, including recycling locations by county. Hard copies of the directory can also be obtained from NDEQ by sending an e-mail request to moreinfo@ndeq.state.ne.us or by accessing <http://www.deq.state.ne.us/> and following the link for Recycling Directory.

Homeland Security Information. Nebraska Emergency Management Agency (NEMA)
MG Roger P. Lempke, Director and State Adjutant General (roger.lempke@nema.state.ne.us); Al Berndt, Assistant Director, (402) 471-7410 (al.berndt@nema.state.ne.us). Web page: <http://www.nebema.org/>.

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REGIONAL MEETINGS

10th Regional Wetlands and Water Resources Meeting: New Protection Challenges for Unprotected Waterbodies. The 3-day meeting will provide a diversity of venues to maximize networking and information exchange on the latest scientific issues, policies and regulations, technical topics, and model projects. The plenary sessions will be followed by a series of two concurrent sessions over a period of one and a half days. An interactive half-day state and tribal breakout session beginning the second day will allow a facilitated, in-depth discussion on topics relevant to the tribes and each state in EPA Region 7 (i.e., Iowa, Kansas, Missouri, and Nebraska). Two sit-down lunches, each with an inspirational speaker, along with half hour breaks between sessions for viewing posters will allow attendees ample time to network and share ideas. One day devoted to technical workshops will provide opportunities for more in-depth exchange of ideas. This meeting will be highlighted by a field trip on day three. The meeting will be held on **9-11 March 2004** in **Kansas City, Missouri** at the Hyatt Regency, Crown Center. For general conference information, please contact Tammy Taylor, Conservation Technology Information Center, (765) 494-1814, fax: (765) 494-5969, or e-mail at taylor@ctic.purdue.edu.

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TRAINING COURSES AND WORKSHOPS

USACE PROSPECT Training. This program provides job-related training through technical, professional, managerial and leadership courses to meet the unique needs of the USACE and other government agencies. The courses are open to all federal agencies. Some examples of course availability includes: Cultural Resources (Course Control Number 299, **10-14 May 2004, Santa Fe, New Mexico**) and Ecological Resources (Course Control Number 168, **26-30 April 2004, Vicksburg, Mississippi**). The current fiscal year schedule of classes is available at <http://pdsc.usace.army.mil/courseschedule.asp>.

Environmental Negotiation Workshop. The Naval Civil Engineer Corps Officers School (CECOS) offers the Environmental Negotiation Workshop to all DOD personnel at no cost. This three-day class provides instruction on the negotiating and communication skills necessary to establish productive relationships and achieve beneficial agreements with regulatory and public stakeholders. It stresses the human, organizational and public interaction aspects of building constructive relationships with stakeholders in order to obtain mutually beneficial decisions in environmental decision making. Case studies and role-playing provide an opportunity for every student to apply the information presented in class. The course is intended specifically for those involved in Regulatory Compliance, Planning, Installation Restoration and Base Realignment and Closure. The course will be held in **San Antonio, Texas** on **13-15 April 2004**. For details, please go to <https://www.cecocos.navy.mil>.

Introduction to Cultural Resource Management Laws and Regulations. This three-day course provides an integrated overview of all pertinent laws and regulations needed to understand and fulfill cultural resource management responsibilities. The curriculum is designed around a series of inter-related case studies discussed during the course. The course is taught in conjunction with the Advisory Council on Historic Preservation and is approved by the Interservice Environmental Education Review Board (ISEERB). The course will be held **16-18 March 2003** in **New Orleans, Louisiana**. For details, please go to <https://www.cecos.navy.mil>.

WORKS! 2004 Conference on Solid Waste Management. The 2004 Conference will be held on **23-25 March 2004** in **Lindsborg, Kansas**. The focus will be on Safety and Health issues associated with solid waste management and recycling, but will also take some time to reflect on the past 10 years of a highly successful conference. One highlight of the Conference will be the keynote address to be given by national renowned television producer and native Kansan, Bill Kurtis. For more information on WORKS! 2004, please call (785) 296-1603.

Historic Preservation Law and Section 106 Compliance Course. This course emphasizes legal compliance through the use of actual case studies. Course content includes the stewardship role, use of historic properties, and communications with related oversight agencies. This is an ISEERB-approved course. The course is scheduled for the following dates:

- **20-22 April 2004** in **San Antonio, Texas**
- **20-22 July 2004** in **Annapolis, Maryland**

For further information, please visit <https://www.cecos.navy.mil>.

Conflict Management Workshop. This course, presented by USACHPPM, provides participants with the knowledge and skills for productively addressing conflict. Participants will learn the dynamics of conflict, sources of conflict, approaches to conflict situations, and techniques for managing conflict in a productive way. Concepts are developed through lecture, individual and small group exercises, on-the-spot problem solving, and case studies. When completed, the participant will understand:

- The sources and dynamics of conflict
- The role of emotions in conflict
- The differences and similarities among facilitation, mediation, and negotiation
- Applying appropriate conflict management approaches to given situations

The course will be offered on **19-20 May 2004** in **San Antonio, Texas**. For more information, please call (410) 436-8147 or visit <http://www.chppm.com/>.

Introductory Risk Communication Workshop. The CHPPM is presenting this workshop to provide participants with a basic understanding of the concepts, principles and process of effective risk communication planning. The workshop provides participants with an understanding of essential communication skills and tools for building strategic stakeholder relationships that provide the framework for discussion of complex risk issues. The workshop is scheduled for **15 - 17 June 2004** in **Edgewood, Maryland** and **22 - 24 June 2004** in **San Antonio, Texas**. For more information, please call (410) 436-8147 or visit <http://www.chppm.com/>.

The 2004 Community Involvement Conference and Training. This event, sponsored by the U.S. Environmental Protection Agency, and chaired by the Office of Water, will be held in **Denver, Colorado, 15-18 June 2004**. In its 7th year, this conference is an excellent opportunity to share lessons learned and to establish and monitor EPA's standards for community involvement. The conference covers the entire scope of public participation, community involvement, partnership building, and outreach and education related to all aspects of environmental protection. To learn more, please go to <http://www.epancic.org/2004>.

Natural Resources Compliance Course. This course offers instruction in specific natural resources law, regulations, policies, Executive Orders, DoD instructions, and other guidance, noting Service-specific requirements. The course addresses stewardship, preservation and process; fish, game and wildlife management laws; protection of wetlands, waterways and other protected ecological areas; forest and land use management laws; and inter-service cooperation. This ISEERB-approved course is scheduled for **22-25 June 2004** in **Aberdeen, Maryland**. For further information, please visit <https://www.cecos.navy.mil>.

Thirteenth Annual ITAM Workshop: “Bridging the Army’s Land Challenges”. This Workshop is a forum for the scientific exchange of technologies, ideas, experiences and lessons learned that relate to the application of Integrated Training Area Management (ITAM) on military training and testing land. Topics to be covered include:

- Land Rehabilitation and Maintenance (LRAM)
- Land Condition Trend Analysis (LCTA)
- Environmental Awareness (EA)
- Training Requirements Integration (TRI) (including training/range operations)
- Geographical Information System (GIS)

The Workshop will be held in **San Francisco, California** on **12-16 August 2004**. For additional information, please visit: <http://www.army-itam.com/public/home.jsp> or call (757) 878-3090/5085 or fax (757) 878-0934.

Advanced Risk Communication Workshop. The CHPPM is presenting this Advanced course that builds on basic understanding and skills learned in the Introductory course, providing the participant with hands-on experience in applying the steps of the process, on-camera media practice, and seminar-style discussions of “hot” issues impacting military health and readiness. When completed, the participant will understand:

- the steps required to plan, develop, implement and evaluate strategic risk communication plans;
- understand approaches and techniques for effectively engaging the media; and
- complexities of addressing current issues impacting the military mission.

The Advanced Health Risk Communication workshops scheduled for 2004 will be held on **24-26 August** in **San Antonio, Texas** For more information, please call (410) 436-8147 or visit <http://www.chppm.com/>.

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CONFERENCES AND SYMPOSIUMS

The UXO/Countermines Forum Tenth Anniversary. The UXO/Countermines Forum 2004 assembles researchers, developers, policy-makers, program planners and deliverers to showcase cutting edge UXO and countermines technologies, ideas, programs, and partnerships. The challenges in military sustainment will be addressed in technical presentations, exhibits, speeches, and networking events. A comprehensive technical program follows a plenary session and features over 150 technical presentations that offer the latest UXO/countermines technology results, innovations, policies, and programs. The Forum will be held on **9-12 March 2004** in **St. Louis, Missouri**. For more information regarding the Forum or registration, please contact Impact Associates at (865) 379-7065, or by e-mail at TheForum@ImpactStrategicEvents.com.

Louisiana Department of Environmental Quality Conference on the Environment. This conference will be held on **17-19 March 2004** at the Cajundome Convention Center, **Lafayette, Louisiana**. For assistance, contact Leslie Garcia at (225) 219-3272. Additional information regarding the agenda, location, accommodations and exhibitor information can be found at the following web site: <http://www.deq.state.la.us/conference/>.

Multi-State Working Group on Environmental Performance (MSWG) Meeting, Spring, 2004

Seasonal Meeting. The theme for this meeting is “Systems Innovations for Environmental Management Systems (EMS) Performance.” Jeff Vonk, Director Iowa Department of Natural Resources and Bob Stephens, PhD, Assistant Secretary for Environmental Management and Sustainability, California Environmental Protection Agency (President, MSWG) will deliver the introductory remarks and welcome. Topics to be covered include, EMS Integration and Performance, EMS Systems Integration – Agriculture, EMS Systems Integration – Manufacturing and the Value of Certification. The meeting will take place on **1-2 April 2004** at the Hotel Fort Des Moines, **Des Moines, Iowa**. For additional information, look under Upcoming Events at <http://mswg.org/>.

NDIA 30th Environmental & Energy Symposium & Exhibition. Papers from government, industry, academia and the international community are now being solicited for this symposium, scheduled for **5-8 April 2004** in **San Diego, California**. For a list of topics, as well as information about the symposium, please visit <http://register.ndia.org/interview/register.ndia?PID=Brochure&SID=1310WH4T1&MID=4440>. For more information, please call (703) 247-9476.

Archaeological Resource Protection Act Course. Fort Hood and the USACE are hosting this course on the Archaeological Resource Protection Act. The course is scheduled for **13-15 April 2004 at Fort Hood, Texas**. For more information, please call (254) 287-1092.

National Environmental Assistance Summit. Hosted by the National Pollution Prevention Roundtable and U.S. Environmental Protection Agency, this summit is a merger of the National Pollution Prevention Roundtable Spring Conference and the National Compliance Assistance Providers Forum. It is scheduled for **19-22 April 2004 in Baltimore, Maryland**. A series of workshops will be offered on Monday 19 April followed by plenary sessions and breakout sessions on subsequent days. Early Registration Closes on 14 February. After that time, registration fees will increase. For more information on the summit, please visit <http://www.p2.org/summit2004/>.

2004 Region VII Environmental Symposium. The Associated Industries of Missouri (AIMO) in partnership with the Kansas City Chamber of Commerce and Industry, the Regulatory Environmental Group for Missouri (REGFORM), the Iowa Association of Business and Industry, the Nebraska Chamber of Commerce & Industry, the Greater Kansas City Chamber of Commerce, and the Midwest Section of the Air & Waste Management Association are presenting the 2004 symposium to be held on **21-22 April 2004 in Kansas City, Missouri**. Topics will include Spill Reporting, Voluntary Site Clean up, Personal Environmental Criminal Liability, Permit Process Improvements, Exceeding the Requirements of Environmental Compliance and more. For additional information or to register, please call (573) 634-2246 or visit: <http://www.aimo.com/events/04RegionVIIProgram.pdf>.

TCEQ's 11th Annual Environmental Trade Fair and Conference. Pollution prevention, environmental leadership, and permitting processes will be covered at the Texas Commission on Environmental Quality's (TCEQ) annual three-day Environmental Trade Fair and Conference, being held on **5 -7 May 2004** at the Austin Convention Center, **Austin, Texas**. For more information please call (512) 239-5003 or visit http://www.tceq.state.tx.us/AC/comm_exec/communication/media/05-03tradefair.html.

The Kansas Department of Health & Environment (KDHE) Non-point Source Seminar. The KDHE Bureau of Water, Watershed Management Section is conducting a seminar on **6 May 2004 in Chanute, Kansas** regarding various non-point source pollution control projects and local environmental protection programs. The purpose of the seminar is to facilitate communication of project results and activities among all parties interested in non-point source pollution control. For details call (785) 296-4195 or fax (785) 296-5509 or e-mail nps@kdhe.state.ks.us.

2004 Global Demilitarization Symposium and Exhibition. The Joint Ordnance Commanders Group (JOCG) and the National Defense Industrial Association (NDIA) will conduct the 12th Annual Global Demilitarization Symposium & Exhibition **17-20 May 2004** at the Adam's Mark Hotel in **Dallas, Texas**. This annual event continues to support the Department of Defense in numerous efforts directed at reducing the stockpile of excess and obsolete strategic, tactical, and conventional munitions. The agenda will focus on the global challenges and successes experienced in the disposition of energetic materials. Topics of interest will include ongoing disposal, recycling, and reuse programs (R3), research and development efforts, transitioning technologies, and the latest policy issues that affect this business. For meeting details or information please visit the following web site: <http://register.ndia.org/interview/register.ndia?PID=Brochure&SID=16D0XM8M1&MID=4580>. You may also call (918) 420-8823.

National Source Water Protection Conference. EPA is sponsoring the National Source Water Protection Conference held on **2-4 June 2004 in Washington D.C.** Sponsored by the EPA's Office of Ground Water and Drinking Water, the conference will focus on the protection of the ground and surface resources which supply the water used by public drinking water systems. The conference agenda includes numerous breakout sessions, technical training and short courses, a resource fair and a plenary session focusing on financing. For more information, an agenda, and on line registration, visit <http://www.epa.gov/safewater/protect/swpconf.html> or call the Safe Drinking Water Hotline at 1-800-426-4791. There is no registration fee but advance sign-up is required. Additional conference information can be obtained by e-mailing swpconf@epa.gov.

Accelerating Site Close Out - Reducing Costs Through Optimization. This conference, sponsored by member agencies of the Federal Remediation Technologies Roundtable (USEPA, the Navy, the Air Force, DOE, USACE) will outline long-term remediation liabilities and optimization needs and opportunities; disseminate existing and emerging optimization strategies, technologies, tools and science; communicate lessons learned; and present

remedial optimization within the context of site wide and multi-site management programs. Presentations will include summaries of projects completed using established optimization programs developed by US Army Corps of Engineers, Air Force, Navy, EPA, DOE, state, and commercial firms. The conference will be held on **15-17 June 2004, Dallas, Texas**. For additional information, please call (703) 318-4678, fax: (703) 736-0826 or e-mail tcs-events@saic.com.

9th Annual Joint Services Environmental Management Conference & Exhibition (formerly P2&HWM Conference & Exhibition). The conference, formerly known as the Joint Services Pollution Prevention & Hazardous Waste Management Conference & Exhibition, has been renamed. The new conference name is the Joint Services Environmental Management Conference & Exhibition (JSEM) and is co-hosted by the Army Environmental Center (AEC) and the Air Force Center for Environmental Excellence (AFCEE). The conference will be held **16 – 19 August 2004** at the Henry B. Gonzalez Convention Center **San Antonio, Texas** and it's theme is "Sustaining the Force: Optimizing Readiness Through the Prevention of Pollution." For any additional information or questions regarding the conference, please contact the NDIA at jseminfo@ndia.org. The conference web site is <http://www.jsemconference.com/>.

Brownfields Conference 2004. The national Brownfields Conferences will bring together key experts from all levels of government, business, and finance and from local communities to share ideas and experiences in the field of urban and environmental development. The conference will be held on **20-22 September 2004** in **St. Louis, Missouri**. For additional information, please visit <http://www.epa.gov/swerosps/bf/announcg.htm>.

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Acronyms and Abbreviations The list of acronyms and abbreviations can be found on the AEC web site at <http://aec.army.mil/usaec/reo/creo03.html> and on DENIX at <https://www.denix.osd.mil/denix/State/Partnering/REC/rec.html> (click Information Library).



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